INTERNATIONAL AGREEMENTS CONCERNING LIVING MARINE RESOURCES OF INTEREST TO NOAA FISHERIES

INTERNATIONAL FISHERIES DIVISION

OFFICE OF SUSTAINABLE FISHERIES

2003

INTERNATIONAL AGREEMENTS CONCERNING LIVING MARINE RESOURCES OF INTEREST TO NOAA FISHERIES

2003

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INTERNATIONAL AGREEMENTS CONCERNING LIVING MARINE RESOURCES OF INTEREST TO NOAA FISHERIES

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PART I. INTERNATIONAL AND REGIONAL MANAGEMENT ARRANGEMENTS

ATLANTIC OCEAN

International Convention for the Conservation of Atlantic Tunas (Basic Instrument for the International Commission for the Conservation of Atlantic Tunas -- ICCAT)

Basic Instrument

International Convention for the Conservation of Atlantic Tunas (TIAS 6767), 20 U.S.T. 2887, 1969, which was signed on May 14, 1966.

Implementing Legislation

Atlantic Tunas Convention Act (16 U.S.C. 971).

Member Nations

There are currently 35 Contracting Parties: Algeria, Angola, Barbados, Brazil, Canada, Cape Verde, China (People's Republic), Côte d'Ivoire, Croatia, Equatorial Guinea, European Community (EC), France (in respect of St. Pierre et Miquelon), Gabon, Ghana, Guinea (Republic of), Honduras, Japan, Korea (Republic of), Libya, Morocco, Namibia, Panama, Russian Federation, Sao Tome and Principe, South Africa (Republic of), Trinidad and Tobago, Tunisia, United Kingdom (in respect of its overseas territories), United States, Uruguay, and Venezuela.

It was agreed at the 1997 Annual Meeting that all EC Member States would withdraw from the Commission effective December 31, 1997. France and the United Kingdom rejoined in respect of their independent territories.

Commission Headquarters

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Budget

The Commission's Standing Committee on Finance and Administration (STACFAD) approved a budget for calendar year 2003 of 1,679,601.62 Euros, which is an increase of approximately 64,600 Euros or about 4 percent from the 2002 level. The U.S. contribution to this budget is 116,833.49 Euros (approximately $133,543.24).

In 2002, it was again noted that several Contracting Parties were in arrears, which was creating cash flow difficulties for the Commission. Discussion of the possibility of suspending voting rights for certain parties 2 years in arrears was discussed, but no action was taken.

In addition to the collection of past due contributions, there is another step that, if taken, will help relieve ICCAT's budgetary difficulties. This step is the adoption of the Madrid Protocol. This protocol was negotiated in 1992 and restructures the way contributions are calculated to take into consideration the position of developing countries. The

protocol will enter into force once the required number of developed and non-developed market economies ratify or accede to it. At this point, ratification/accession from only one of the following five non-developed market economies is needed to bring the Madrid Protocol into effect: Angola, Cape Verde, Cote d'Ivoire, Equatorial Guinea, or Sao Tome and Principe. Once in force, the protocol will reduce the contributions of developing states, place ICCAT on a stable and secure budgetary foundation, and ensure that the Commission can undertake all of its work.

The Commission is also undergoing the task of finding a new Executive Secretary. The current Executive Secretary will vacate his position after the 2003 ICCAT meeting. A recruitment package for the Executive Secretary position was agreed and the deadline for submitting applications was set as May 5, 2003.

U.S. Representation

A. Appointment Process:

The Atlantic Tunas Convention Act (ATCA) provides that not more than three Commissioners shall represent the United States in ICCAT. Commissioners are appointed by the President and serve 3-year terms. Of the three U.S. Commissioners, one can be a salaried employee of any state or political subdivision thereof, or of the Federal Government. The Government Commissioner is not limited in the number of terms that he or she can serve. Of the two Commissioners who are not government employees, one must have knowledge and experience regarding commercial fishing in the Atlantic Ocean, Gulf of Mexico or Caribbean Sea and the other must have similar knowledge and experience regarding recreational fishing. The non-Government Commissioners are not eligible to serve more than two consecutive 3-year terms.

B. U.S. Commissioners:

William T. Hogarth, Ph.D.
Assistant Administrator for Fisheries
NOAA Fisheries
1315 East-West Highway
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Robert Hayes (First term expires: 1/05)
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Glenn Delaney (Final term expires: 12/03)
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Washington, D.C. 20004

C. Advisory Structure:

The U.S. Commissioners are required, under the ATCA, to constitute an Advisory Committee to the U.S. National Section to ICCAT. This body shall, to the maximum extent practicable, consist of an equitable balance among the various groups concerned with the fisheries covered by the Convention and is exempt from the Federal Advisory Committee Act. The Committee consists of (1) "not less than five nor more than twenty individuals appointed by the United States Commissioners who shall select such individuals from the various groups concerned with the fisheries covered by the Convention" and (2) the Chairs (or their designees) of the New England, Mid-Atlantic, South Atlantic, Caribbean, and Gulf of Mexico Fishery Management Councils (FMCs). Appointed Committee members serve 2-year terms and are eligible for reappointment. The Committee generally consists of the maximum 20 appointed members and the five FMC representatives.

Upon approval of the Committee and the Department of State, the directors (or their designees) of the fisheries

agencies of each of the states, the residents of which maintain a highly migratory species fishery in the regulatory area of the Convention, may be invited to serve as *ex officio* members of the Committee. The Advisory Committee is invited to attend all non-executive meetings of the U.S. Commissioners and, at such meetings, shall have the opportunity to examine and to be heard on all proposed programs of investigation, reports, recommendations, and regulations of the Commission.

The ATCA also provides that the Commissioners may establish species working groups for the purpose of providing advice and recommendations to the Commissioners and to the Advisory Committee on matters relating to the conservation and management of any highly migratory species covered by the Convention. Any species working group shall consist of no more than seven members of the Advisory Committee and no more than four scientific or technical personnel. The Commissioners have established the following four working groups: billfish, swordfish, bluefin tuna, and BAYS (bigeye, albacore, yellowfin, and skipjack) tunas. The Commissioners generally appoint the maximum number of technical advisors provided by law (i.e., 16).

The Chairman of the Advisory Committee is Dr. John Graves, The College of William and Mary, Virginia Institute of Marine Science, School of Marine Science, Gloucester Point, VA 23062. The Committee's Executive Secretary is Kim Blankenbeker (see addresses below). The Committee meets at least twice a year, usually in Silver Spring, Maryland, and often holds additional meetings along the East Coast, Gulf of Mexico and Caribbean Sea. The Committee's Statement of Operating Practices and Procedures is available from its Executive Secretary.

Description

A. Mission/Purpose:

ICCAT was established to provide an effective program of international cooperation in research and conservation in recognition of the unique problems related to the highly migratory nature of tunas and tuna-like species. The Convention area is defined as all waters of the Atlantic Ocean, including the adjacent seas. The Commission is responsible for providing internationally coordinated research on the condition of Atlantic tuna and tuna-like species, and their environment, as well as for the development of regulatory recommendations. The objective of such regulatory recommendations is to conserve and manage species of tuna and tuna-like species throughout their range in a manner that maintains their population at levels that will permit the maximum sustainable catch.

B. Organizational Structure:

The ICCAT is comprised of a (1) commission, (2) council, (3) executive secretary, and (4) subject area panels. The Commission consists of not more than three delegates from each Contracting Party. The Council is an elected body within the Commission consisting of a chairman, vice-chairman, and representatives of not less than four nor more than eight Contracting Parties and which performs such functions as are assigned to it by the Convention or Commission. Although the Council is supposed to meet at least once between regular meetings (which occur every other year), since 1978 Special Meetings of the Commission have been held in lieu of meetings of the Council. The Executive Secretary is responsible for coordinating the programs of investigation, preparing budget estimates, disbursing funds and accounting for expenditures; preparing the collection and analysis of data to accomplish the purposes of the Convention; and preparing scientific, administrative, and other reports for approval by the Commission. Panels are established by the Commission and are responsible for review of the species under their purview; collection of scientific and other information; proposing conservation recommendations for joint actions; and recommending studies by the Contracting Parties. Standing Committees on Research and Statistics (SCRS), Finance and Administration (STACFAD), and Compliance have been established by the Commission. ICCAT also has constituted a Permanent Working Group for the Improvement of ICCAT Statistics and Conservation Measures

(PWG), which met for the first time in 1993. Much of the focus of the PWG is directed toward gaining the cooperation of ICCAT non-members with the conservation and management measures of the Commission.

C. Programs:

The Commission concerns itself with (1) joint planning of research, coordination of research carried on by agencies of the Parties in accordance with its plans, and joint evaluation of the results of such research; (2) the collection and analysis of statistical information relating to the condition of fishery resources in the Convention area; and (3) joint formulation of regulatory recommendations for submission to the Parties.

Recommendations adopted by the Commission are submitted to governments for acceptance. These recommendations become effective for all Parties to the Convention 6 months after their formal submission to all Parties (unless otherwise stated) provided objections are not made during that period by concerned Contracting Governments. Each Contracting Party has the responsibility for implementing and enforcing the Commission's recommended conservation and management measures.

The Commission has taken conservation and management actions with regard to several species of Atlantic tunas. It has also established conservation measures for Atlantic swordfish and billfish and has contemplated actions relative to oceanic sharks. These actions are taken through ICCAT's subject area panels based on consideration of scientific information and advice. Panel 1 covers bigeye, yellowfin, and skipjack tunas. Panel 2 covers North Atlantic bluefin and albacore tunas. Panel 3 covers South Atlantic bluefin and albacore tunas. Finally, Panel 4 covers Atlantic swordfish, billfishes, and other species. Of particular note is the adoption by ICCAT of rebuilding programs for western Atlantic bluefin tuna (1998) and North Atlantic swordfish (1999). In addition, a rebuilding plan for marlins was adopted in 2000. Since their adoption, these measures have been amended. Significantly, ICCAT agreed to convene a meeting of scientists and managers in 2003 to evaluate stock structure and mixing information and to develop operational options for implementing alternative approaches for managing mixed populations of Atlantic bluefin tuna. The Working Group to Develop Integrated and Coordinated Management Strategies for Bluefin Tuna will meet for one or two days just prior to the 2003 ICCAT annual meeting. Other conservation and management actions ICCAT has taken over the years include the establishment of time/area closures, size limits, quotas and catch limits, and effort limits. A significant issue that ICCAT grappled with for several years was the development of quota allocation criteria. ICCAT adopted comprehensive and balanced criteria at its 2001 meeting. These criteria will serve as a guide in negotiations of ICCAT's four species panels.

The work of ICCAT's PWG and Compliance Committee have taken up increasingly more time at the Commission's annual meeting. The PWG has adopted state-of-the-art tools to encourage non-members to cooperate with ICCAT. These include the adoption of trade tracking programs for bluefin tuna, swordfish, and bigeye tuna; action plans that contemplate the use of trade sanctions against countries that diminish the effectiveness of ICCAT; and vessel lists that provide a basis to limit market access to those products taken by authorized vessels. All of these approaches are used to help control illegal, unregulated, and unreported fishing in the Convention area and sanctions have been imposed in certain circumstances. Similarly, the Compliance Committee has adopted a variety of measures designed to improve member party conformance with ICCAT conservation and management measures. Penalties, including quota reductions and trade sanctions, are contemplated by these measures. Full implementation of ICCAT's member compliance regime has been slow. Another approach ICCAT has used to enhance control over the fisheries under its purview is to establish the category of cooperating party/entity/fishing entity. Each year, ICCAT evaluates applications and grants cooperating status as appropriate. Two parties (Chinese Taipei--a.k.a. Taiwan--and the Philippines) currently have cooperating status. ICCAT is in the midst of reviewing its procedures for applying trade restrictions; thus, a meeting of the Working Group on Process and Criteria for the Establishment of Trade Restrictive Measures will be held in Funchal, Madeira Island, the Azores (Portugal), May 28-31, 2003.

ICCAT has a number of measures in effect relating to monitoring and control and is in the process of developing a more comprehensive and integrated international monitoring and inspection scheme that would include existing elements such as observers, a vessel monitoring system, port inspections, transshipment controls, chartering rules, and vessel sightings reports, improve them where necessary, and develop new elements, such as a high seas

inspection program, as appropriate. The next meeting of the Working Group on Integrated Monitoring and Control Measures will be in Funchal, Madeira Island, the Azores (Portugal), May 26-28, 2003. In addition, given continuing concerns about the quality and timeliness of data submissions to the Commission, a joint SCRS-Compliance Committee-PWG workshop will be held on October 11, 2003, in Madrid, Spain, to look at data issues and recommend possible ways to improve the collection, submission, and use of scientific and compliance data.

Regarding other issues, ICCAT has adopted a proposal on the collection of information on interactions with seabirds and is considering a similar proposal concerning sea turtles. The latter will be on the agenda for the 2003 ICCAT meeting. In a significant development, the United States was successful in improving the transparency of ICCAT by getting agreement at the 1998 meeting on meaningful changes to the Commission's guidelines and criteria for granting observer status at ICCAT meetings. Among other things, these changes resulted in lower participation fees.

A complete accounting of all ICCAT conservation and management measures, including those relating to compliance issues, can be found on the ICCAT website (www.ICCAT.es).

The Eighteenth Regular Meeting of the Commission will be held November 17-24, 2003, in Dublin, Ireland. The plenary meeting of the SCRS is scheduled for October 6-10, 2003, in Madrid, Spain.

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Convention for the Conservation of Salmon in the North Atlantic Ocean (Basic Instrument for the North Atlantic Salmon Conservation Organization -- NASCO)

Basic Instrument

Convention for the Conservation of Salmon in the North Atlantic Ocean (TIAS 10789), 1982.

Implementing Legislation

Atlantic Salmon Convention Act of 1982 (16 U.S.C. 3601).

Member Nations

Canada, Denmark (in respect of the Faeroe Islands and Greenland), the European Commission or EC, Iceland, Norway, the United States, and the Russian Federation.

Commission Headquarters

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Budget

The Convention provides that 30 percent of the Organization's budget will be borne equally by the Parties; 70 percent will be based on recent catches of salmon in intercepting fisheries. The Council adopted a budget for 2002 of £435,800 (approximately US$700,600), with a U.S. contribution of £19,191 (approximately US$30,857). The forecast budget for 2004 was £393,100 (about US$632,043), with a U.S. contribution of £17,319 (about US$27,848) The 2003 budget represents about a 23 percent increase over 2001. The 2003 increase is attributed to the need to transfer funds into the NASCO Staff Fund (US$20,000) to cover costs and penalties associated with the collapse of Equitable Life, the company that had managed the staff pension funds. The increase also included £12,000 (approx. US$13,800) in administrative support ("seed") money for the International Cooperative Salmon Research Fund (the Fund). In addition, a NASCO member may offer to host the planned 2003 International Research Board meeting and if so, this would result in a savings to the budget of £18,000. Parties agreed that any such savings should be transferred to the Fund.

NASCO receives its scientific advice from the International Council for the Exploration of the Seas (ICES). Over the past few years, NASCO has expressed concern about the billing practices of ICES. NASCO's contributions to ICES had increased by 67 percent from 1999 to 2002. This increase was to result in 100 percent cost recovery for ICES, which was that organization's stated goal. At a spring 2002 meeting, however, ICES provided new costing information that indicated NASCO had only paid 68 percent of ICES costs. NASCO is concerned about the volatility of these increases and has asked the NASCO Secretary to liaise with ICES and other fishery commissions to develop a new memorandum of understanding (MOU) with ICES. Among other things, the MOU should include

a mechanism for improved consultations before any additional costs can be assessed to NASCO. Additionally, NASCO noted that ICES had refused to pay its agreed portion of the costs associated with a jointly sponsored symposium in 2002. It was therefore agreed that these costs would be deducted from the 2002 NASCO contribution to ICES.

U.S. Representation

A. Appointment Process:

The Atlantic Salmon Convention Act of 1982 provides that the United States shall be represented on the Council and Commissions by three U.S. Commissioners, appointed by the President to serve at his pleasure. Of the Commissioners, one must be an official of the U.S. Government and two must be individuals (not officials of the U.S. Government) who are knowledgeable or experienced in the conservation and management of salmon of U.S. origin.

B. U.S. Commissioners:

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Stephen R. Gephard
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C. Advisory Structure:

The U.S. Section of NASCO was formally constituted to provide the U.S. Commissioners with advice, with particular reference to development of U.S. policies, positions, and negotiating tactics. Membership of the U.S. Section includes public and *ex officio* members. Public members are appointed by the Commissioners and serve for a term of 2 years with eligibility for an additional 2-year term. Public members are limited to 15 in number and must be persons knowledgeable or experienced in the conservation and management of salmon of U.S. origin.

Ex officio members include:

(1) the Chair (or designee) of the New England Fishery Management Council;

(2) a representative of the fishery agency of each of the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut;

(3) the Deputy Assistant Secretary of State for Oceans and Space or her representative;

(4) a representative of the National Oceanic and Atmospheric Administration, Department of Commerce; and

(5) a representative of the Fish and Wildlife Service, Department of the Interior.

In addition, the U.S. Commissioners established the U.S. Atlantic Salmon Assessment Committee, which is composed of staff from State and Federal fishery agencies. The work of this body focuses on assessing New England stocks of Atlantic salmon, proposing and evaluating research needs, and serving the U.S. Section to NASCO. Each year this body meets for an Assessment Meeting from which an assessment document is produced for the use of the U.S. Commissioners.

Description

A. Mission/Purpose:

The Convention applies to the salmon stocks which migrate beyond areas of fisheries jurisdiction of coastal states of the Atlantic Ocean north of 36°N latitude throughout their migratory range. The purpose of NASCO is to promote (1) the acquisition, analysis, and dissemination of scientific information pertaining to salmon stocks in the North Atlantic Ocean and (2) the conservation, restoration, enhancement, and rational management of salmon stocks in the North Atlantic Ocean through international cooperation.

B. Organizational Structure:

NASCO consists of: (1) the Council; (2) three regional Commissions (North American Commission or NAC, West Greenland Commission or WGC, and North-East Atlantic Commission or NEAC); and (3) the Secretariat. The Council, which consists of representatives of all Contracting Parties: (1) provides a forum for the study, analysis, and exchange of information on salmon stocks subject to the Convention; (2) provides for consultation and cooperation concerning salmon stocks beyond Commission areas; (3) coordinates the activities of the Commissions; (4) establishes working arrangements with the International Council for the Exploration of the Sea (ICES) and other fisheries and scientific organizations; (5) makes recommendations concerning scientific research; (6) supervises and coordinates the administrative, financial, and other internal affairs of the Organization; and (7) coordinates the Organization's external relations.

The three Commissions each have the following functions: (1) to provide for consultation and cooperation among their members; (2) to propose regulatory measures for intercepting salmon fisheries; and (3) to make recommendations to the Council concerning scientific research.

Canada and the United States are members of the NAC. Canada, the EU, the United States, and Denmark (in respect of Greenland), are members of the WGC. Recently, Iceland has begun to express an interest in joining the WGC but no formal request has been made. Denmark (in respect of the Faeroe Islands), the EU, Iceland, Norway, and the Russian Federation are members of the NEAC. In the case of the NAC, the EU may submit and vote on proposals for regulatory measures concerning salmon stocks originating in the territories of its member States. Canada and the United States each have similar rights in the case of the NEAC.

C. Programs:

Scientific Advice: Scientific advice is provided to NASCO by ICES. The Advisory Committee on Fishery Management (ACFM), a standing committee within ICES, provides information on catch statistics and associated research results in response to the specific requests from NASCO. At the 1992 annual meeting, the NASCO Council established a Standing Scientific Committee (SSC), composed of a scientist and a management representative from each of NASCO's three geographic commissions, to formulate requests for future scientific advice from ICES. The SSC is designed to ensure that questions to the scientific working groups are formed to reflect accurately the information desired by managers. This arrangement is being continued as it seems to be working well.

Non-Contracting Party Fishing: Fishing for Atlantic salmon by non-Contracting Parties to the NASCO Convention has been an issue for the organization for some time. At the 1992 meeting held in Washington, D.C., the Council

approved a protocol to the NASCO Convention for signature by non-Contracting Parties to NASCO. The protocol was designed to provide non-Contracting Parties with a legal instrument for the creation and enforcement of domestic legislation and regulations. It calls upon non-members to prohibit the fishing of Atlantic salmon stocks beyond the areas of fishing jurisdiction of coastal states and to take appropriate actions to enforce the provisions of the protocol. The NASCO Council also approved a resolution calling upon NASCO Parties to encourage non-Contracting Parties fishing for salmon on the high seas to comply with the protocol, and to obtain and compile information on such fishing. The NASCO Secretariat was given the task of devising a mechanism by which Parties to the NASCO Convention may approach states in which vessels observed to be fishing on the high seas for Atlantic salmon are registered and of documenting and disseminating information on high seas fishing activities contrary to the protocol.

To date, no non-Contracting Parties have become bound by the protocol, although certain non-Contracting Parties (i.e., Panama and Poland) have taken actions to address the problem of salmon harvesting vessels registered in their countries. There have been no sightings of non-Contracting Parties fishing for salmon since February 1994; however, there have been few surveillance flights conducted over the winter and spring periods preceding NASCO annual meetings. Past estimates of catch taken by non-member vessels fishing in international waters has been 25-100 metric tons (mt).

The Council considered and did not pursue a proposal to conduct a pilot project to assess the utility of radar satellite data for the detection of salmon fishing by non-Contracting Parties in international waters; however, NASCO agreed to continue to consider the usefulness of satellite surveillance systems in this regard. Toward that end, NASCO intends to hold a follow-up meeting to its 1993 meeting in the next few years with coast guard/fishery protection agencies to review the results of a study of Norwegian satellite surveillance systems. NASCO will also continue to liaise with the Northwest Atlantic Fisheries Organization and the North-East Atlantic Fisheries Commission (NEAFC) with a view to obtaining relevant information on sightings.

Unreported Catch: ICES recommended that measures be taken to improve accounting for the significantly high amount of salmon catch often reported as "guess-estimates." At its 1997 meeting, NASCO approved a proposal for refining the estimates of unreported catch and adopted a proposal that the NASCO Secretariat carry out a review on such catches. A review of catch statistics at the 1998 NASCO meeting indicated that approximately 25 percent of the total North Atlantic salmon harvest was attributable to unreported catch. To improve reporting of salmon catch statistics, the Parties agreed to provide data to ICES on a stock basis and to try to categorize this catch in accordance with specified criteria. At its 1999 meeting, NASCO noted continuing concern about the high level of unreported catches and agreed to refine the process developed in 1998 to assist in addressing this problem. At the 2000 meeting, the Council noted that estimates of unreported catches remained high (32 percent of the total 1999 salmon harvest). Illegal fishing appears to be a major contributing factor to the continuing high level of unreported catch, although not in all countries. Continuing concern was expressed about the high level of unreported catch and the Council emphasized the need to take stronger measures to address this issue. The Council asked that all parties provide a breakdown of their 2000 reported catch as this information could be useful when considering measures to minimize unreported catch. The Council also took note of the FAO initiative to develop an international plan of action (IPOA) to address illegal, unregulated, and unreported (IUU) fishing and considered additional action to combat IUU fishing might be required of NASCO in the future pursuant to this IPOA. In 2002, a review of available information indicated that unreported catches for 2001 were estimated to be between 962 and 1,374 mt (a small reduction from 1999 and 2000. Progress is being made to reduce the level of unreported catch but additional work is needed. NASCO recommended that the parties further clarify the methods used to estimate unreported catch and the reliability of these estimates. Consideration of opportunities to enhance harmonization of the estimation approaches used was also suggested.

With regard to catch and release, NASCO noted that this was not a component of unreported catch; however, the parties agreed to advise annual on the extent of this activity. The parties undertook to provide an update to the Secretariat of the approach taken to collect relevant data in order to find ways to improve and harmonize reporting.

Research: At its 1995 Annual Meeting, NASCO first considered conditions under which research fishing by Contracting Parties might be undertaken. It was agreed that harvesting salmon for scientific research purposes could provide valuable management information; however, there was concern that such research fishing could be contrary to Article 2 of the NASCO Convention. Following the 1995 Annual Meeting, the Parties considered a resolution to establish such a procedure, but for various reasons, NASCO was not able to adopt the resolution as presented. At the 1996 Annual Meeting, the Parties considered revised resolutions on the topic and adopted a resolution setting forth a procedure to allow research fishing. The measure does not distinguish where such fishing occurs (i.e., within areas of national jurisdiction or on the high seas) and allows research fishing provided certain safeguards are observed. Since the adoption of the resolution, NASCO has approved research fishing proposals from several of its members. Most recently, NASCO approved a research proposal from Canada covering the Outer Bay of Fundy and extending to the northern Gulf of Maine during the period May 25 to June 17, 2002.

Due to concerns about marine survival of salmon, the Council agreed at its 2000 meeting to set up a working group to develop ideas for a 5-year international cooperative research program to identify and explain the causes of increased marine mortality of Atlantic salmon and to consider ways to counteract this problem. The working group met in 2000 and developed a proposed research program which was considered at the 2001 NASCO meeting. At that meeting, NASCO established the International Cooperative Research Board. It has met twice since its establishment and is in the process of identifying and coordinating needed research and finding funding sources. The United States has agreed to provide US$150,000 as start up funding. Other NASCO members are providing support to the work of the board, primarily in the form of in-kind contributions.

Precautionary Approach: In 1997, the Council agreed to establish a working group to consider how the precautionary approach might be applied to NASCO's work. Its first meeting was held in January 1998 and representatives of ICES and FAO were invited to attend. At its 1998 annual meeting, NASCO adopted an agreement on adoption of the precautionary approach, which was largely developed at the 1998 intersessional. The key provisions of the agreement were: (a) NASCO and its Contracting Parties agree to adopt and apply a precautionary approach; (b) NASCO and its Contracting Parties should apply the precautionary approach to the entire range of NASCO salmon conservation and management activities; and (c) the application of the precautionary approach should focus on (1) management of North Atlantic salmon fisheries, (2) the formulation of management advice and associated scientific research, and (3) introductions and transfers including aquaculture impacts and possible use of transgenic salmon. To further this work, NASCO adopted the Action Plan for the Application of the Precautionary Approach to Salmon Management at its 1999 meeting. The action plan provides a framework to further implement the precautionary approach in NASCO and establishes a standing committee to oversee this work. The action plan addresses such issues as: management of fisheries; socioeconomic issues; unreported catches; scientific advice and research requirements; stock rebuilding programs; introductions, transfers, aquaculture and transgenics; habitat issues; and bycatch. The agreement by NASCO to apply the precautionary approach to its work represents a significant milestone in cooperation by the Parties. The NASCO Parties recognized that ultimate development of the precautionary approach will take many years and will seriously challenge the resources of the organization and its members.

The standing committee on the precautionary approach (SCPA) has met each year since 2000. It has produced a decision structure for use by the Council and Commissions as well as by relevant authorities of NASCO member in the management of single and mixed stock salmon fisheries. The SCPA has also developed a plan of action for the application of the precautionary approach to the protection and restoration of Atlantic salmon habitat. NASCO held a special session in 2002 for Parties to report back on the implementation of the action plan. A report is available from the NASCO Secretariat. At the 2002 session, the SCPA met to consider the application of the precautionary approach to introductions, transfers, aquaculture, and transgenics. The effort focused on reviewing relevant NASCO measures to improve their consistency with NASCO's definition of the precautionary approach, were necessary. The effort resulted in a revision and broadening the Oslo Resolution, including incorporating into it all other NASCO measures addressing introductions, transfers, aquaculture and transgenics (i.e., the guidelines on transgenic salmon, the NAC protocols, and the NEAC resolution, and the guidelines on containment). In addition, guidelines on

stocking were developed and appended. The new and improved resolution was dubbed the "Williamsburg Resolution." It will be considered by NASCO at its 2003 meeting. NASCO will also consider the results of a 2002 technical working group meeting on the incorporating social and economic factors into the precautionary approach.

Transgenic Salmon: The Council considered a resolution on transgenic salmon at its 1996 meeting that would begin to address concerns about the possibility that transgenic salmon (i.e. salmon that have had genes from another organism introduced into them) will interact with and negatively affect wild salmon stocks. Due to disagreements over procedure, this resolution was not adopted at or after the 1996 meeting. At its 1997 meeting, NASCO again considered this issue. The document "Guidelines for Action on Transgenic Salmon" was adopted in lieu of a resolution. Under these guidelines, the Parties agreed to advise NASCO of any proposal to permit the rearing of transgenic salmonids, providing details of the proposed method of containment and other measures to safeguard the wild stocks. At the 2000 NASCO meeting, it was reported that a company located in Atlantic Canada is producing transgenic salmon in a secure, land-based facility. The government of Canada had not yet received a formal proposal for commercial rearing, but would take appropriate steps should such a proposal be received. The United States reported that preliminary discussions were taking place between a company rearing transgenic salmon. In 2001 NASCO provided comments to the USFDA concerning the use of transgenic salmon in aquaculture operations but no response was received. The United States reported that consultations between the various government agencies concerned were ongoing and that NASCO would be kept informed of any developments.

Oslo Resolution: In 1994, NASCO adopted a resolution directed at minimizing impacts from salmon aquaculture on wild salmon stocks. At its 1997 meeting, the Council agreed to hold an intersessional meeting in early 1998 of its Working Group on Implementation of the Oslo Resolution to consider further the implementation of the Resolution in light of information arising from the 1997 ICES/NASCO symposium on the interaction between cultured and wild salmon. (Information presented at the symposium suggested that the abundance of cultured salmon in the wild is large and has resulted in a mixing of fish from different populations to an extent never before seen. Such interactions could have serious adverse impacts on the wild stocks.) At the 15th Annual (1998) Meeting of NASCO, all of the Working Group's recommendations were adopted and the Secretary was charged with preparing a document containing both the Oslo Resolution and the newly adopted recommendations. Further, in response to one of the Working Group recommendations, the NASCO Parties submitted for review at the 1998 meeting detailed information on their efforts under the Oslo Resolution. Based on this review, NASCO decided to hold a special session, in conjunction with the 1999 NASCO annual meeting, and each year thereafter, to review and evaluate implementation of the Oslo Resolution by two individual NASCO members. In 1999, Canada and Norway made such reports. Two EC Member States made similar reports at the 2000 NASCO meeting. The United States, Iceland, and the Faeroe Islands will offer presentations at the 2001 NASCO meeting. These special sessions are open to non-governmental organization participation.

In addition, NASCO has recognized the need to involve the salmon farming industry in efforts to protect the wild stocks through improved salmon farming management. Toward that end, NASCO established a Wild and Farmed Salmon Liaison Group with the International Salmon Farmer's Association (ISFA) to effect closer cooperation with the salmon farming industry. This group has meet several times since its inception, but participation does not include NGOs. In addition, not all Parties' aquaculture industries are included in the ISFA. These have been and may continue to be issues at future meetings of this group. The Liaison Group has developed guidelines on physical containment and husbandry practices and these were adopted by NASCO. They have since been incorporated into the Williamsburg Resolution. The Liaison Group met in 2002 to consider the Williamsburg Resolution among other things. ISFA will provide any feedback to NASCO before its annual meeting. In addition, at its recent meeting, the Liaison Group received information on possible areas for cooperative research. It was agreed that a workshop should be held before the 2004 NASCO meeting to consider this work further.

Bycatch: During its 1997 meeting, the Council requested ICES to investigate possible increases in salmon bycatch due to expansion of pelagic fisheries for herring and mackerel in the northeast Atlantic in 1997, noting that even a very small percentage of catch of salmon post-smolts could mean significant losses. At its 1998 meeting, NASCO

agreed that it needed further information on the possible bycatch of salmon in pelagic fisheries and asked the Secretariat to request such information from the Contracting Parties and from the NEAFC. At the 1999 NASCO meeting, the Parties expressed continuing concern about the bycatch issue, noted that investigations into the issue were being initiated, and again agreed to provide any available information for consideration. At the 2000 NASCO meeting, the Council referred the issue of at-sea bycatch of Atlantic salmon to the working group on marine mortality discussed under the research section above. In 2001, ICES confirmed that a preliminary review indicated that bycatch of salmon in the mackerel fishery could be significant. Improvements of these estimates was recommended. NASCO also noted that there were no specific research proposals presented to the research board designed to look into this matter and recommended that project proposals to assess bycatch be given high priority.

Transparency: At its 2001 meeting, the Council reviewed its communications policies and decided to develop its press release through a drafting group; improve the NASCO website; to adopt two new conditions concerning NGO participation at NASCO annual meetings and to adopt a new condition concerning media participation that restricted media participation to the opening session of the Council. Regarding the NGO rules, one precluded NGOs from issuing press releases or other information concerning issue under discussion at the meeting while the NASCO meeting was in progress and the other specified that accreditation would be removed from any NGO that had not been actively involved with the organization within the last three years (i.e., attended a meeting or communicated with the Secretariat). The restriction on the issuance of press releases created immediate controversy and has resulted in the suspension of accreditation of two NGOs. The United States is seeking a compromise to this situation and the matter will be revisited in 2003.

Predator-Related Mortality: Given that a number of years have elapsed since this issue was considered by NASCO, the President requested all parties to provide to the Secretariat an update on research and management in relation to predation on salmon covering the period since the 1996 special session on this subject.

Standing Scientific Committee: For the first time, NASCO approved a request to ICES for scientific advice that included a request for long-term stock rebuilding projections. The focus is on trajectories for restoring stocks to target levels above conservation limits.

Actions Taken by NASCO's Three Regional Commissions:

NAC Discussions/Actions: Given the continuing poor status of North American salmon, there are no commercial fisheries prosecuted by the United States or Canada. Canada does allow some recreational fishing for salmon in certain rivers. In addition, there is a small aboriginal food fishery in Atlantic Canada on Quebec's Lower North Shore. For the United States, it is illegal to retain any sea-run Atlantic salmon, but there is a target harvest fishery in the Merrimack River for reconditioned brood stock. In late 2000, certain U.S. salmon populations were listed as endangered on under the U.S. Endangered Species Act. Despite these efforts, evidence suggests that returns to U.S. rivers have declined.

With regard to the fishery at St. Pierre and Miquelon, the Parties expressed increasing frustration in 2002 with France's lack of attention and response to NASCO, particularly in regard to the ongoing effort to establish a cooperative sampling program. A resolution was adopted by NASCO in 2002 urging the NASCO Parties to use all influences to encourage France to improve cooperation with NASCO. Additional discussion of this issue will take place at the 2003 NASCO meeting.

The NAC protocols on introduction and transfer have been in the process of being revised for a number of years primarily due to issues raised by Canada. The consultation process in Canada is taking longer than expected. An update of this situation will be provided during the 2003 NASCO meeting and the Parties will consider next steps.

The NAC also discussed the issue of acid rain and the Parties agreed to consider the causes, effects, and mitigation options for acid rain vis a vis Atlantic salmon during the intersessional period. Results of these discussions will be

considered at the 2003 NAC meeting and consideration will be given to actions that might be taken to address this problem.

WGC Discussions/Actions: Efforts have been made over the last decade or so to use scientific advice and, where possible, a mathematical model to derive quotas for the West Greenland fishery. It was expected that spawning escapement of multi-sea winter fish that return from Greenland to spawn in homewater rivers in North America would increase significantly due to this management effort. The use of the model to determine quotas had varying degrees of success. In 1996, the approach broke down completely and Greenland set a unilateral quota of 174 mt, of which 92 mt were harvested. To avoid another impasse, discussions regarding future quota setting procedures for West Greenland took place prior to the 1997 annual meeting. This led to the adoption of an addendum to the 1993 agreement that specified that the quota allocated to West Greenland would be the higher of the Calculated Quota (as calculated according to the 1993 agreement using a pre-fishery abundance forecast at a 50 percent probability level) and the Reserve Quota, which is based on an allocation to Greenland, for 1997 of 6 percent of the forecast pre-fishery abundance level using the biological parameters provided by ICES in 1996. In accordance with the amended agreement, the WGC set a reserve quota of 57 mt which was inclusive of all forms of catch (including an estimated 20 mt of local sales and subsistence fishing). Greenland reported that its 1997 harvest was 63 mt. The slight over-harvest was due to landing reports that were submitted after the fishery was closed. The 1993 agreement, as amended, expired at the end of the 1997 salmon fishing season.

Prior to the 1998 annual meeting of NASCO, Greenland indicated its readiness to accept a 1998 quota based on application of the 1997 reserve quota formula. Use of the reserve quota system would have resulted in a 33 mt quota; however, there was concern that the pre-fishery abundance estimates were uncertain and likely too high. Because of the poor stock condition and the uncertainty surrounding the pre-fishery abundance, an agreement was reached that limited the salmon fishing activity in West Greenland to internal consumption only during 1998. In the past, this internal consumption fishery has been estimated at approximately 20 mt. The reported catch figure for 1998 was 11 mt. In addition, the Greenland Home Rule Government estimated that there was an unreported catch of about 11 tons. A key element of the 1998 agreement was recognition of improvements in salmon catch monitoring and reporting in Greenland. Significantly, Canada's action regarding Labrador (discussed in the NAC section above) together with the regulatory measure adopted for West Greenland meant that for the 1998 fishing year, commercial fisheries for Atlantic salmon in the northwest Atlantic were virtually eliminated. This situation continued from 1998- 2000.

In 2001, scientific advice seemed to indicate that a commercial fishery was again viable in West Greenland. However, there was concern that this decision was based on expected returns and that it would be better to tie harvest levels to actual returns. An ad hoc management regime was devised that would allow anywhere from 28 mt to 200 mt of commercial harvest depending on the level of documented returns as determined by CPUE analysis. A total of 34.5 mt were harvested for commercial sale. In 2002, a similar measure was adopted, but it was more risk averse than the 2001 approach. The commercial catch could be anywhere from 20-55 mt depending on the CPUE analysis.
In fact, no commercial fishery was prosecuted in 2002 due to a conservation agreement that was developed and agreed between various private sector organizations and Greenland's fishermen that compensated the Greenlanders for not fishing.

NEAC Discussions/Actions: The NEAC provides for the management of the intercept salmon fishery off the Faeroe Islands. Although quotas have been established through NASCO for the Faroese fishery for many years, there has been no commercial fishery in the Faeroe Islands since 1991. Until 1998, a private sector quota purchase arrangement bought the quota harvesting rights. In 1998, no purchase agreement was reached for the NASCO established 380 mt quota, but only a 6 mt research fishery was prosecuted. During negotiations in 1997 regarding the 1998 quota, Denmark (in respect of the Faeroe Islands) stressed that it would not accept further reductions in the Faroese quota without appropriate "burden sharing" by other NEAC members. The Faeroe Islands have repeatedly noted that they are a small island territory dependent on harvesting marine resources and they have insisted on a

need for significant quotas. (The 1997 quota established for the Faroese fishery was 425 mt.) Ultimately, a regulatory measure was adopted for 1998 that established the 380 mt quota mentioned above and established other restrictions on season and gear. At the 1998 NASCO meeting, the NEAC agreed to a 1999 quota of 330 mt for the Faroese fishery, of which Denmark (on behalf of the Faeroe Islands) agreed to harvest only 290 mt. In a significant development, the NEAC recognized the importance of establishing conservation limits on a river stock basis within the NEAC area. Rights to the 1999 quota were not purchased by private sector interests, but no commercial fishery was prosecuted.

At the 1999 NASCO meeting, the NEAC again noted the ICES advice that great caution should be exercised regarding the exploitation of the northeast Atlantic salmon stock. After difficult negotiations, the NEAC agreed to a quota of 300 mt for the 2000 Faroese fishery, of which Denmark (with respect of the Faeroe Islands) noted it would allocate no more than 260 mt. Additional restrictions to reduce fishing effort and season length and to protect undersized salmon were also agreed. At the 1999 meeting, Denmark (in respect of the Faeroe Islands) announced their intention to resume a commercial harvest of salmon in 2000. The results of this fishing will be reported at the 2001 NASCO meeting. In the interim, all other members of NASCO signed a letter to the Faeroe Islands expressing concern about their intent to resume commercial salmon fishing.

In its 2000 scientific advice (relative to the 2001 fishery), ICES noted that caution should be exercised regarding exploitation of most stocks found in the NEAC area. In the face of increasing evidence that the stocks in that area are declining, NEAC members, particularly the EC and Denmark (in respect of the Faeroe Islands) were under increasing pressure to reduce salmon quotas and exploitation to levels consistent with scientific advice. Thus, at the 2000 NASCO meeting, the NEAC adopted a regulatory measure that lays the groundwork for more scientifically based management measures. Specifically, the measure: (1) states that the NEAC decided against setting a quota for the Faeroe Islands for 2001, (2) recognized the right of the Faeroe Islands to harvest salmon within their area of jurisdiction and the restraint offered by that country in recent years by not utilizing their quotas, (3) provides that the NEAC members will work expeditiously with ICES in an effort to develop a more science based approach to quota setting. (4) provides that the NEAC will develop a fair and equitable approach to allocations, and (5) notes the intention of the Faeroe Islands to manage its fishery in a precautionary manner and that fishing will be limited in scope and will be subject to close national surveillance and control. The measure agreed in 2000 for the 2001 Faeroe Islands fishery signifies a major milestone as it marks a significant change from the previous practice of allocating a large paper" quota to the Faeroe Islands. Similar approaches were taken in 2001 and 2002 for the 2002 and 2003 fishing seasons, although some countries expressed a preference to set a specific quota.

Next Meeting: The Council agreed to hold its 20th Annual Meeting in Edinburgh, Scotland, UK, on June 2-6, 2003.

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Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries (Basic Instrument for the Northwest Atlantic Fisheries Organization -- NAFO)

Basic Instrument

Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries (entered into force January 1, 1979).

Implementing Legislation

Northwest Atlantic Fisheries Convention Act of 1995 (Title II of P.L.104-43).

Member Nations

Current members of NAFO include: Bulgaria, Canada, Cuba, Denmark (in respect of the Faeroe Islands and Greenland), Estonia, the European Union (EU), France (in respect of St. Pierre et Miquelon), Iceland, Japan, Republic of Korea, Latvia, Lithuania, Norway, Poland, Romania, the Russian Federation, Ukraine, and the United States. The United States acceded to the Convention on November 29, 1995, and participated for the first time as a Contracting Party at the 1996 Annual Meeting (the United States attended earlier annual meetings as an observer).

Commission Headquarters

Executive Secretary: Dr. Johanne Fischer

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Budget

NAFO adopted a budget for 2003 of Can$1,385,400 (approximately US$957,239), of which the U.S. contribution is expected to be approximately Can$188,303 (approximately US$130,111). The preliminary 2003 forecast budget is Can$1,1311,000.

U.S. Representation

A. The Appointment Process:

The Northwest Atlantic Fisheries Convention Act of 1995 provides that not more than three U.S. Commissioners and not more than three U.S. Representatives to the NAFO Scientific Council (see below) shall represent the United States in NAFO. Commissioners and Representatives are appointed by the Secretary of Commerce and serve at his pleasure. Each Commissioner and Representative is appointed for a term not to exceed 4 years, but is eligible for reappointment.

Of the three Commissioners, one (but no more than one) must be an official of the U.S. Government, at least one a representative of the commercial fishing industry, and one a voting (non-government employee) member of the New

England Fishery Management Council. Commissioners must be knowledgeable and experienced concerning the fishery resources to which the NAFO Convention applies. Of the three U.S. Representatives to the NAFO Scientific Council, at least one must be an official of the U.S. Government. All Representatives must be knowledgeable and experienced concerning the scientific issues dealt with by the Scientific Council.

B. U.S. Representatives:

U.S. Commissioners (expiration date in parentheses):

John H. Dunnigan (04/06)
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1315 East-West Highway
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Barbara D. Stevenson (08/03)
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Portland, Maine 04101

Jeffrey Pike (03/04)
2000 L Street, NW
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Representatives to the Scientific Council:

Fredric M. Serchuk
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Northeast Fisheries Science Center
National Marine Fisheries Service, NOAA
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Woods Hole, MA 02543

C. Advisory Structure:

The Northwest Atlantic Fisheries Convention Act of 1995 further requires that the Secretaries of Commerce and State establish jointly a Consultative Committee to advise the Secretaries on issues related to the Convention. Each member of the Consultative Committee shall serve for a term of 2 years and shall be eligible for reappointment. The membership of the Committee shall consist of representatives from the New England and Mid-Atlantic Fishery Management Councils, the States represented on those Councils, the Atlantic States Marine Fisheries Commission, the fishing industry, the seafood processing industry, and others knowledgeable and experienced in the conservation and management of fisheries in the Northwest Atlantic. There are currently ten members of the NAFO Consultative Committee.

Description

A. Mission/Purpose:

NAFO is the successor organization to the International Commission for the Northwest Atlantic Fisheries (ICNAF). Its mission is: (1) to provide for continued multilateral consultation and cooperation with respect to the study, appraisal, and exchange of scientific information and views relating to fisheries of the Convention Area and (2) to conserve and manage fishery resources of the NAFO Regulatory Area (NRA), i.e., that part of the Convention Area which lies beyond the areas in which coastal states exercise fisheries jurisdiction. The Convention Area is located within the waters of the Northwest Atlantic ocean roughly north of 35° north latitude and west of 42° west latitude.

(Note: The Convention applies to all fishery resources of the Convention Area with the exception of: salmon; tunas, swordfish, and marlins; cetacean stocks managed by the International Whaling Commission or any successor organization; and sedentary species of the Continental Shelf.)

(1) Organizational Structure:

NAFO consists of a General Council, Fisheries Commission, Scientific Council, a Secretariat, and seven standing committees. The General Council provides executive guidance for the Secretariat and provides a forum for member nations' approval of programs and regulations. The Scientific Council provides a forum for the exchange of scientific information and views relating to the fisheries of the Convention Area; compiles, maintains, and publishes statistics pertaining to the fisheries, including environmental and ecological factors in the Convention Area; provides scientific advice to coastal states when requested to do so; and provides scientific advice to the NAFO Fisheries Commission. The Fisheries Commission is responsible for the management and conservation of the fishery resources of the Regulatory Area. The Standing Committees consider and make recommendations in the areas of (1) finance and administration; (2) the fishing activities of non-Contracting Parties in the NRA; (3) inspection and control; (4) fishery science; (5) research coordination; (6) publications; and (7) fisheries environment.

C. Programs:

Background: NAFO has established and maintained conservation and management measures in the NRA since 1979. These measures currently include: total allowable catches (TACs) and member nation quota allocations by species; one fishing effort allocation; data recording and reporting requirements; vessel monitoring system (VMS) and observer requirements; minimum size limitations; mesh size and chafing gear requirements; and notification, registration and hailing requirements for fishing vessels operating in the NRA. In addition, NAFO has a scheme of joint international inspection and surveillance in the NRA.

The principal species managed by NAFO are cod, flounders, redfish, American plaice, Greenland halibut (turbot), capelin and shrimp. Occasionally, a significant squid fishery occurs in the Regulatory Area as well. During the late 1980s and early 1990s, unregulated fishing in the NRA by non-member States (sometimes by reflagged vessels of member States); under-reporting of catches; overharvesting by Canada of stocks that straddle the line between Canada's exclusive economic zone and the NRA; and fishing by a NAFO member under objection (the EU) all contributed to the eventual collapse of 8 of the 13 stocks managed by NAFO (the NAFO Convention provides that a management measure is not binding on any contracting party that formally objects to it). As a result, NAFO was forced to impose moratoria on fishing on these stocks in the NRA. Many NAFO-regulated species remain at all-time low levels (or the lowest level ever recorded), and NAFO-imposed moratoria continued for these eight stocks in 2002.

U.S. Allocations: For 2003, the United States received the following country-specific allocations in the NRA: Division 3M redfish (69 mt); Division 3L shrimp (144 mt); Subareas 3+4 *Illex* squid (453 mt); and an effort allocation of 100 fishing days for 1 vessel for Division 3M shrimp. U.S. fishermen are also entitled to harvest, on a first-come-first-served basis, any allocation for which an “Others” category has been designated, provided there is not a country-specific allocation to the United States for that fishery. For 2003, “Others” category allocations may be available to U.S. fisheimen in Division 3LNO yellowtail flounder (73mt) and Divsion 3LMNO Greenland halibut (2070 mt).

Monitoring and Enforcement: Work relating to development and strengthening of NAFO compliance and enforcement measures is generally done at both annual meetings and intersessional meetings of in the Fisheries Commission and its Standing Committee on International Control (STACTIC). In 1999, NAFO began requiring the use of observers on 100 percent of Contracting Party vessels operating in the NRA. NAFO has also required 100 percent use of VMS on Contracting Party vessels operating in the NRA since January 1, 2001. Additionally, NAFO

continues to develop and refine its monitoring and enforcement measures. Procedures have been adopted for processing information from at-sea inspections; modifying the hail system to require vessels entering or leaving the NRA to have provided 6-hour advance notification and vessels transshipping at sea to have provided 24-hour advance notification; and to require NAFO Contracting Parties to inspect the fishing vessels of other Contracting Parties during port calls to verify species and quantities caught.

At the January 2002 Special Meeting, a U.S. proposal was adopted providing for an annual review of compliance with the NAFO Conservation and Enforcement Measures. This step was taken against the backdrop of a Canadian presentation showing numerous infringements of these Measures by vessels of NAFO Contracting Parties. The annual review will be carried out by STACTIC for adoption by the Fisheries Commission. At the September 2002 NAFO Annual Meeting, both Canada and the European Union made presentations on compliance based on their respective monitoring and enforcement activities in the Regulatory area. Though still in its early stages, the compliance review process appears to have fairly strong support among NAFO Contracting Parties is will likely continue and expand in the future.

Non-Contracting Party Fishing: In 1998, NAFO implemented the "Scheme to Promote Compliance by Non-Contracting Party Vessels with the Conservation and Enforcement Measures Established by NAFO." This Scheme presumes that a non-Contracting Party (NCP) vessel that has been sighted fishing in the NRA is undermining NAFO conservation and enforcement measures. If such vessels enter the ports of Contracting Parties, they must be inspected. No landings or transshipments are permitted in Contracting Party ports unless such vessels establish that certain species on board were not caught in the NRA, and for certain other species that the vessel applied the NAFO conservation and enforcement measures. Contracting Parties must report the results of inspections to NAFO and all other Contracting Parties. The scheme also calls for coordinated joint demarches by NAFO Contracting Parties to the governments of NCPs whose vessels had been observed fishing in the NRA requesting that the activity be stopped.

NAFO Contracting Parties may also board, inspect, and apply actions in accordance with international law against vessels appearing to be operating without nationality ("stateless vessels"). In addition, Parties are encouraged to "examine the appropriateness of domestic measures to exercise jurisdiction over such vessels." NAFO contacts relevant nations to attempt to confirm the registries of NCP vessels sighted fishing in the NRA, and has taken measures to increase communication and information sharing among relevant regional fisheries management organizations and international bodies (such as the FAO) regarding the fishing activities of such vessels. In addition, NAFO now actively reviews the issue of Illegal, Unregulated and Unreported (IUU) fishing as it relates to on-going discussions at the FAO.

Although parts of the Scheme have been integrated into the NAFO Conservation and Enforcement Measures, it has been recommended that the Fisheries Commission include the Scheme in its on-going efforts to streamline and improve this document.

Allocation of Fishing Rights: At the 1997 NAFO Annual Meeting, the United States offered a proposal to reform NAFO's quota allocation practices. In response, the Fisheries Commission formed an Allocation Working Group (WG), which first met in March 1998. This first meeting of the Working Group focused first on setting guidelines for future discussions, including: exploring the meaning of the term "real interest" in relation to future new members; considering adoption of a broad strategy to guide expectations of future new members with regard to fishing opportunities in the NRA; development of a broad strategy to allocate future fishing opportunities for stocks not currently allocated; and exploring in connection with stocks under TACs possible margins to accommodate requests for fishing opportunities.

Discussion at the 1999 Working Group meeting focused on a number useful working papers submitted by Contracting Party s on the topics agreed at the previous meeting. These discussions resulted in some forward

movement by the WG and a "Draft Resolution to Guide the Expectations of Future New Members with Regard to Fishing Opportunities in the NAFO Regulatory Area" was adopted noting that: any state may accede to the NAFO Convention; all Contracting Parties are members of the General Council; membership in the Fisheries Commission is limited to Contracting Parties who either presently fish or have an immediate intent to begin fishing in the NRA; and new Contracting Parties admitted into the Fisheries Commission can expect fishing opportunities to be limited to new fisheries or the quota allocation available to all Contracting Parties without a national quota (the "others" category) for stocks presently under TACs for the foreseeable future. This resolution was adopted at the 1999 NAFO Annual Meeting and it was agreed that the Allocation WG should meet again in March 2000.

Discussions during the 2000 meeting of the Working Group focused to a large degree on continued development of a broad strategy for allocation of future fishing opportunities for stocks not currently allocated. The WG attempted to create non-exhaustive, non-prioritized "shopping lists" relating to both qualifying criteria and allocation criteria with regard to such opportunities. In addition, the WG examined possible opportunities for fishing opportunities on the margins of stocks currently under TAC. Much of this discussion related to the possible creation of an "others" quota. However there was no agreement regarding possible sources for such a quota, nor was it determined who should have access to the fish contained therein.

At the 2000 NAFO annual meeting, Contracting Parties examined the utility of continued work by the Working Group. The United States and others expressed strong support for continued work, noting that allocation issues pertaining to new stocks must be dealt with in a timely manner. Other Contracting Parties stated that allocative issues should be addressed only once stocks begin to recover. Following further discussion, it was decided that the Working Group would not meet in 2001. However, there was general agreement that further discussions on the allocation issue should take place during the 2001 annual meeting. The United States raised this issue at the January 2002 Special Meetings in order to ensure that it is included on the agenda for the September 2002 Annual Meeting.

During the 2002 Annual Meeting, it was agreed that the Allocation Working Group should meet during early 2003 to continue its work. Terms of reference were agreed based on those in place when the work of the WG was suspended.

Precautionary Approach: At the 1996 NAFO Annual Meeting, the United States introduced a draft paragraph for inclusion in the request for advice from the Fisheries Commission (FC) to the Scientific Council (SC). This paragraph noted the importance of early action to implement provisions of the precautionary approach and requested that the SC provide a report examining specific elements of these provisions and how they might be implemented in NAFO. In the years that followed this request, support among members of the Fisheries Commission for the implementation of the precautionary approach has been guarded but generally positive. During this time the SC has, at the request of the FC (and with some FC participation): developed a conceptual framework and Action Plan for implementing the Precautionary Approach in NAFO; collaborated with other relevant fisheries organizations that had similar initiatives underway (i.e., ICES, FAO and others); held a workshop of the precautionary approach in March 1998; examined theoretical, general and specific considerations regarding NAFO stocks; examined the role of scientists and fisheries managers in relation to the Precautionary Approach; and initiated and conducted simulations of a precautionary approach to management for three categories of NAFO fish stocks.

At the May 1999 meeting of the Joint SC/FC Working Group, it was recommended that both the SC and FC consider elements in designing and formulating further action in respect to implementation of the Precautionary Approach for the three stocks used in the simulation and that similar actions be taken for other NAFO stocks with related characteristics as the implementation of the Precautionary Approach progresses. At its 1999 Annual Meeting, NAFO adopted a U.S.-proposed resolution to guide the implementation of the precautionary approach within NAFO that addresses many of the U.S. concerns. It was also agreed that the joint FC/SC Working Group should meet in 2000 to continue work on this issue. A Canadian-proposed agenda was also adopted for this meeting.

At its February 2000 meeting, the Joint SC/FC Working Group agreed on: implementation plans for applying the precautionary approach to 2 out of 3 model stocks that had been identified earlier; a similar implementation plan for 3LNO American plaice; a generic template for applying the precautionary approach to other NAFO-managed stocks; and general criteria for reopening a fishery in light of the precautionary approach. Despite this progress however, several issues of contention continue to plague the progress of the Working Group. Of particular concern are issues relating to terminology and operationalizing the precautionary approach within NAFO.

At the 2000 annual meeting, these and other concerns led Contracting Parties to consider whether or not the working group should continue its work. After considerable discussion, it was agreed that a small group of technical experts would meet in the first half of 2001 to advance future work in the Fisheries Commission Working Group. This group was to circulate a report to all Contracting Parties and recommend whether the Working Group should meet prior to the 2001 NAFO annual meeting. Unfortunately, this group never convened.

At its June 2002 meeting, the Working Group examined and compared work done on the precautionary approach by the NAFO Scientific Council with that done by the International Council for the Exploration of the Sea (ICES). ICES provides scientific advice to a number of regional fisheries management organizations, including NEAFC. While the United States and Canada were strongly committed to the NAFO process and stressed the similarities between work done by NAFO and ICES, the European Union and other NEAFC members expressed concern regarding the differences. In the end, it was agreed that further progress could be made by addressing specific differences found between the NAFO and ICES work on precautionary approach. The Working Group recommended that the Fisheries Commission identify appropriate examples, and then instruct the Joint FC/SC Working Group to meet intersessionally to address them specifically. In addition, it was recommended that the Fisheries Commission consider development of long-term plans for application of the precautionary approach to different fleet sectors within NAFO. No action was taken on these WG recommendations by the Fisheries Commission at the 2003 Annual Meeting.

Transparency: The United States first raised this issue at the 1996 NAFO Annual Meeting and a working group was created, with the United States serving as Chair, to examine applicable rules of other organizations and arrangements. Subsequent intersessional meetings of the working group in 1997 and 1998 were contentious, with the Nordic countries (i.e., Iceland, Denmark, and Norway) particularly resistant, and only limited headway was made on the issue. As a result of the difficulty of the discussions, in 1998 the Chair tabled a highly bracketed paper, "Procedures for Observers," designed to address the concerns of all parties. Although some progress was made at the 1999 working group intersessional, several disagreements remained on terms for admitting observers to NAFO meetings.

At the 1999 NAFO Annual Meeting, Canada presented a compromise text that set criteria for observer eligibility and stipulated that groups can participate in sessions of the General Council and FC unless a majority of Contracting Parties vote to exclude them. It also allowed NGOs to participate in meetings of subsidiary bodies unless one or more Contracting Parties objected. The new rules would be in place for two years, after which NAFO could evaluate the success of the program. In the end, the General Council adopted a modified version of this proposal as presented by Denmark. Observers will only be able to sit in on sessions of the General Council and Fisheries Commission, not subsidiary bodies. The NAFO Secretariat will receive applications from interested observers and determine if they meet the eligibility criteria, which include a written statement that the organization supports the goals of NAFO. The Secretariat will then notify all Contracting Parties which groups have been deemed eligible; they will be allowed to participate unless a Contracting Party objects for cause in writing. Any objection will lead to a mail vote among all members on the issue. The guidelines stipulate that the vote be conducted according to the usual NAFO decision-making rules; we interpret this to mean that once a party makes a motion to exclude the group, it can participate unless a majority of Contracting Parties agree to exclude. As in the Canadian proposal, NAFO can reevaluate these rules any time after 2001.

Dispute Settlement: NAFO continues to explore the desirability and feasibility of establishing a formal dispute

settlement procedure for the organization. A working group, chaired by Norway, has held a number of meetings to consider a proposal put forth by Canada which is designed, in effect, to limit the use of the objection procedure and to enforce those limitations through compulsory, binding dispute settlement. In response, the EU has presented various counter proposals that have broader implications for NAFO. There is a common element to all the EU proposals: each would create a dispute settlement procedure for all NAFO disputes, not just those arising from the use of the objection procedure.

At the February 1999 meeting of the Working Group, Canada stated that it was now unsure that a dispute resolution mechanism, modeled along the way that the EU contemplates it, would be desirable. Conversely, the EU--which had originally resisted the proposal--has worked along with Norway to create a proposal whereby a broad number of disputes would initially be sent to an ad hoc dispute settlement panel (i.e. a non-binding procedure) and ultimately to binding dispute resolution as contemplated by the Fish Stocks Agreement.

At the 1999 NAFO Annual Meeting, Contracting Parties disagreed widely on the utility of continuing the Working Group. Canada argued that the UN Fish Stocks Agreement (UNFSA) is rapidly acquiring enough ratifications to enter into force. They noted that, as UNFSA includes procedures for settling disputes within regional fisheries organizations, NAFO should simply adopt those procedures. Canada did not think the DSP Working Group should continue to try to devise a separate NAFO procedure. Other Contracting Parties, most notably the EU, felt strongly that the DSP Working Group should continue. They argued that the UNFSA procedures were too slow to resolve a dispute within a single fishing season and would not apply to NAFO-regulated discrete stocks. Prompted by the United States, the General Council decided the DSP Working Group would continue, but under new terms of reference that focus on devising means to implement the UNFSA provisions in a NAFO context.

The May 2000 meeting of the DSP Working Group began with a discussion of whether the parties could agree to adopt recommendations found in a Chairman's Paper which essentially proposed incorporation by reference into the Convention, mutatis mutandis, the 1995 UN Fish Stocks Agreement. The United States and Canada supported this approach, whereas the EU, Japan, and most of the other Contracting Parties were not very sympathetic. The focus of the meeting then shifted to an EU paper distributed at the last intersessional meeting which proposed the possibility of disputing parties choosing binding dispute settlement under the 1995 UN Fish Stocks Agreement, UNCLOS or an ad hoc NAFO procedure. Out of this discussion came a Chairman's Consolidated Text which included provisions for which there was general consensus and bracketed text for which there was not consensus.

At the 2000 NAFO Annual Meeting, Contracting Parties disagreed widely on the utility of continuing the DSP Working Group. Canada adopted the new position that NAFO should simply wait for the UN Agreement on Straddling and Highly Migratory Fish Stocks (UNFSA) to enter into force, instead of attempting to devise a separate NAFO procedure. Other Contracting Parties, most notably the EU, felt strongly that the working group should continue. They continued to argue that the UNFSA procedures were too slow to resolve a dispute within a single fishing season and would not apply to NAFO-regulated discrete stocks. The June 2001 DSP WG meeting saw further work on the heavily-bracketed Consolidated Text. The resulting document ("Consolidated Text 2001~DSP W.G. W.P. 01/7 Rev2) reflects the current state of agreement and views expressed within the WG to date. At the end of this meeting, the EU tabled its own version of a Dispute Settlement Procedures text (DSP W.G. W.P. 01/10), indicating that it might table this version as a possible compromise text at the 2001 Annual Meeting. Due to the cancellation of the 2001 Annual Meeting, this issue was deferred until the 2002 Annual Meeting.

In discussions at the 2002 Annual Meeting, considerable concern was expressed from a number of Parties (particularly Canada and the United States) regarding the status of the European Union text and the work of the Dispute Settlement Working Group in general. The United States once again made its view clear that NAFO dispute settlement procedures should be based strongly on those in UNFSA. Since there was little agreement regarding appropriate next steps for the Working Group, the General Council agreed that there should be a consultation between interested Parties (primarily Canada, the European Union and the United States) to determine the usefulness of a further Working Group meeting during 2003. Provisions were made so that, if interested Parties agree on the

need, such a meeting could take place.

Next Meeting:

The 2003 NAFO Annual Meeting will be held September 15-19, 2003, in Halifax, Nova Scotia, Canada.

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PACIFIC OCEAN

Convention for the Establishment of an Inter-American Tropical Tuna Commission (IATTC)

Basic Instrument

Convention between the United States of America and the Republic of Costa Rica for the establishment of an Inter-American Tropical Tuna Commission, 1949 (TIAS 2044)

Implementing Legislation

Tuna Conventions Act of 1950 (64 Stat. 777), as amended (16 U.S.C., 951-961)

Member Nations

Costa Rica, Ecuador, El Salvador, France, Guatemala, Japan, Mexico, Nicaragua, Panama, Peru, the United States, Vanuatu, and Venezuela.

Commission Headquarters

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Budget

As defined by the Tuna Conventions Act, the expenses of the Commission are to be shared by the Contracting Parties in relation to the proportion of the total catch by each Party from the fisheries covered by the Convention and the portion of the catch utilized by each Party. "Utilized" is defined as eaten fresh, or processed for internal consumption or export. Thus, tunas landed by a Party and subsequently exported in the round are not included in computing that Party's contribution, but those which are exported canned are included. The Party proportions are calculated from statistics compiled by Commission staff for calendar years previous (about 3 years) to the Fiscal Year (FY) budget in question. Historically, the United States has paid the bulk (80-90 percent) of the Commission's budget. However, U.S. utilization of the catch, as defined by the Convention, from the eastern Pacific Ocean (EPO) has greatly diminished since the U.S. tuna market became "dolphin safe" in mid-1994, thereby causing the U.S. required contribution to be diminished. Further, the Department of State has indicated that the U.S. contribution will be reduced, and the IATTC is developing a new framework for determining contributions. The IATTC budget for FY 2002 was $4,023,389; the United States agreed to contribute $2,100,000.

U.S. Representation

A. Appointment Process:

The Tuna Conventions Act of 1950 provides that the United States shall be represented by a total of not more than four Commissioners, of which at least one must be an officer of NOAA, one must be chosen from a nongovernmental conservation organization, and not more than one can reside elsewhere than in a state whose vessels maintain a substantial fishery in the area of the Convention. The Commissioners are appointed by and serve at the pleasure of the President.

B. U.S. Commissioners (one position currently vacant):

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National Marine Fisheries Service
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M. Austin Forman
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James T. McCarthy
18708 Olmeda Place
San Diego, CA 92128

C. Advisory Structure:

The Act requires the U.S. Commissioners to appoint an Advisory Committee composed of not less than 5 nor more than 15 persons selected from the groups participating in or engaged in domestic management of the fisheries included under the Convention and from nongovernmental conservation organizations. The terms of the Advisory Committee members are fixed by the Commissioners. The Advisory Committee members are invited to attend all non-executive meetings and given opportunity to examine and to be heard on all proposed programs, reports, recommendations, and regulations of the Commission. The Advisory Committee is currently being reconstituted and will be fully functional by the end of 2003.

Description

A. Mission/Purpose:

The IATTC was established to "(1) study the biology of the tunas and related species of the EPO with a view to determining the effects that fishing and natural factors have on their abundance, and (2) to recommend appropriate conservation measures so that the stocks of fish can be maintained at levels which will afford maximum sustainable catches." The Commission's duties were broadened in 1976 to include work on the problems arising from the tuna-dolphin relationship in the EPO.

B. Organizational Structure:

The IATTC consists of a Commission composed of national sections and a secretariat headed by a Director of Investigations. The Commission selects a Chairman and a Secretary from different national sections for 1-year terms to be succeeded by representatives of different nationalities.

The principal duties of the Commission are (1) to study the biology of the tropical tunas, tuna baitfish, and other kinds of fish taken by tuna vessels in the EPO and the effects of fishing and natural factors upon them, and (2) to recommend appropriate conservation measures, when necessary, so that these stocks of fish can be maintained at levels which will afford the maximum sustained catches. Approval of decisions, resolutions, recommendations and publications is only by consensus of all Parties to the Commission. National sections may consist of from one to four members appointed by the governments or the respective Contracting Parties. Each national section may

establish an advisory committee which is invited to attend non-executive sessions of the Commission meetings. The Director of Investigations is appointed by the Commission and is responsible for drafting programs of investigations, budget formulation, accounting and administrative support, directing technical staff, coordinating Commission work with other organizations and preparing administrative, scientific, and other reports of the Commission.

C. Programs:

To fulfill its mission, the Commission carries out an extensive research and data collection program. This program is conducted by a permanent, internationally recruited staff selected and directed by the Director of Investigations, who is responsible to the Commission.. In addition, the IATTC has established a number of work groups to address specific management and organizational issues and has expanded the scope and nature of its management recommendations in recent years.

Fisheries Conservation and IATTC Management

Yellowfin Tuna: The IATTC recommends proposals for joint action by the member governments aimed at maintaining yellowfin tuna resources at a high level (generally at maximum sustainable yield). From 1966 through 1979, the Commission set annual catch quotas on yellowfin tuna, usually below 200,000 mt, and member nations implemented them. Beginning in 1979, however, this conservation program was effectively nullified, in large part, because several important member countries, including Mexico, withdrew from the Commission. As a result, the remaining member nations became reluctant to agree to implement a total catch quota when there was no assurance that non-member fishing countries, such as Mexico, would abide by the quota. Nevertheless, the Commission continued to recommend an annual international yellowfin tuna catch quota within the Commission Yellowfin Regulatory Area (CYRA) as the basis for all participants in the fisheries to evaluate the conservation needs of the resource.

Member countries agreed to resume implementing the annual yellowfin tuna quota system in 1998, in part because of the resolution of the tuna-dolphin issue (discussed below) allowed the Commission to refocus on fishery management. As the productivity of the yellowfin tuna stock apparently has been quite good in recent years, the overall catch quota for 2001was 310,000 mt, and the quota was reached before the end of the year. For 2002, to simplify and make more effective the control of fishing effort and consequent fishing mortality, the Commission agreed to close the purse seine tuna fishery for the full month of December 2002 throughout the Convention Area.

Bigeye Tuna: The Commission first set a catch quota for bigeye tuna in the EPO purse seine fishery in 1998 out of concern that the increasing purse seine effort on floating objects and fish aggregating devices (FADs) was resulting in unsustainable harvests of small bigeye tuna. In addition, the Commission adopted resolutions to prohibit the use of tender vessels and to prohibit the at-sea transfer of purse seine-caught tuna. These actions were taken to limit effective fishing capacity and reduce the risk of overcapacity and overfishing. Such harvests could result in long-term damage to the productivity of the bigeye tuna stock. A quota on juvenile bigeye tuna was set in 2001 but was not reached. The purse seine closure for 2002 would have provided protection to bigeye as it did to yellowfin tuna.

Other Conservation and Administration Issues: The Commission has been taking a proactive position in fishery management in recent years. There are or have been four work groups dealing with specific fishery management issues: (1) bycatch, (2) control of the fishery on floating objects/FADs, (3) fleet capacity; and (4) compliance.

In 2000, a pilot project was agreed to for 2001 under which all tuna brought on board a purse seine vessel would be retained. This was intended to prevent waste associated with discard of dead juvenile fish and possibly result in vessels aborting sets and releasing live fish rather than having to retain low value fish on board. The pilot project has been extended to run through 2004.

While no specific restrictions on FAD fishing have been instituted, the IATTC has considered limiting the number of FADs a vessel may carry and once implemented the bigeye tuna quota by prohibiting floating object (including FAD) sets after the quota was reached. This tool remains available if needed in the future. As noted above, the IATTC also has banned tender vessels and at-sea transshipments from purse seine vessels, which effectively limit some FAD fishing.

In 2002, the IATTC adopted an overall purse seine fleet capacity agreement under which purse seine vessels that were not on the IATTC vessel register would not be authorized to fish for tuna in the Convention Area. This effectively establishes upper limits on capacity in this sector. This is the first known instance of a regional fishery management organization establishing a fleet capacity limit. The IATTC also has a long-term capacity management plan intended to ultimately reduce purse seine capacity to about 135,000 mt carrying capacity, which is thought to be consistent with the long-term maximum yields of the tuna stocks.

A Compliance Working Group was established and met for the first time in 2000 with the goal of promoting more complete and uniform implementation of and compliance with IATTC management recommendations. In 2003, this working group will be presented with reports on the extent of compliance and on the steps being taken by members to enforce the recommendations of the IATTC.

The Negotiations Work Group has almost completed its efforts to develop a complete revised text for a new Convention that would be current with recent international agreements and standards for management of highly migratory species. This may be presented to the full Commission at its annual meeting in 2003.

The Finance Working Group has moved closer to new approach for determining the contributions of the various Parties to the financing of the IATTC each year, recognizing the different levels of interest in the fisheries and the scale of development of the Parties. This scheme may be applied for the first time in determining contribution levels for 2003.

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Convention for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea (Basic Instrument for the International Pacific Halibut Commission -- IPHC)

Basic Instrument

Convention for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea, 1953 (TIAS 2900).

Implementing Legislation

Northern Pacific Halibut Act of 1982 (as amended: 50 Stat. 325; 67 Stat. 494; 79 Stat. 902; 97 Stat. 78).

Member Nations

The United States and Canada.

Commission Headquarters

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Budget

The base budget for the fiscal year running from October 1, 2002, through September 30, 2003, is US$3,054,981. The budget is supplemented by funds generated by Commission staff from the sale of halibut gathered during stock assessment cruises. The United States will contribute $2,100,000, and Canada will contribute $800,000.

U.S. Representation

A. Appointment Process:

The United States is represented on the IPHC by three Commissioners who are appointed by the President for a period of 2 years (with eligibility for reappointment). Of these Commissioners, one must be a NOAA official, one must be a resident of Alaska, and one must be a nonresident of Alaska. In addition, one of these three Commissioners must be a voting member of the North Pacific Fishery Management Council. The Secretary of State, in consultation with the Secretary of Commerce, may designate from time to time Alternate U.S. Commissioners to the IPHC.

B. U.S. Commissioners:

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Ralph Hoard
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C. Advisory Structure:

There are no formal provisions for a U.S. Advisory Committee to IPHC, although informal groups made up of U.S. and Canadian industry representatives, known as the IPHC Conference Board and the Processor Advisory Group, do attend and provide recommendations to annual Commission meetings.

Description

A. Mission/Purpose:

The IPHC was created to conserve, manage, and rebuild the halibut stocks in the Convention Area to those levels which would achieve and maintain the maximum sustainable yield from the fishery.

The halibut resource and fishery have been managed by the IPHC since 1923. The IPHC was established by a Convention between the United States and Canada, which has been revised several times to extend the Commission's authority and meet new conditions in the fishery. The most recent change, a protocol, was concluded in 1979, and involved an amendment to the 1953 Halibut Convention.

"Convention waters" are defined as the waters off the west coasts of Canada and the United States, including the southern as well as the western coasts of Alaska, within the respective maritime areas in which either Party exercises exclusive fisheries jurisdiction. For purposes of the Convention, the "maritime area" in which a Party exercises exclusive fisheries jurisdiction includes without distinction areas within and seaward of the territorial sea or internal waters of that Party.

B. Organizational Structure:

The IPHC consists of a Commission and staff. The Commission consists of six members; three representatives appointed by each Contracting Party. All decisions of the Commission are made by a concurring vote of at least two of the Commissioners of each Contracting Party. The research programs and regulatory actions of the Commission are coordinated by the IPHC staff, in consultation with the Commissioners. The IPHC staff currently consists of over 30 employees, including fishery biologists, administrative personnel and support staff.

In addition, the Commission is advised by a Conference Board, a Processor Advisory Group (PAG), and a Research Advisory Board. The Conference Board is a panel representing U.S. and Canadian commercial and sport halibut fishers. Created in 1931 by the Commission, the Board provides the industry/sport fishermen’s perspective on Commission proposals presented at Annual Meetings. Members of the Board are designated by union and vessel

owner organizations from both nations. Created in 1996, the Processor Advisory Group (PAG) represents halibut processors. Like the Conference Board, the PAG lends its opinion regarding Commission proposals and offers recommendations at IPHC Annual Meetings. In 1999, the IPHC membership created the Research Advisory Board (RAB), which consists of both fishers and processors who offer suggestions to the Director and staff on where Commission research should focus.

C. Programs:

Under the Protocol to the Convention, the Commission retains a research staff and recommends, for the approval of the Parties, regulations designed to achieve the purpose of the Convention. The Protocol provides for: (1) the setting of quotas in the Convention Area, and (2) joint regulation of the halibut fishery in the entire Convention Area under Commission regulations. Neither U.S. nor Canadian halibut fishing vessels are presently allowed to fish in the waters of the other country. In 1991, Canada implemented an individual vessel quota (IVQ) system; a similar, individual fishing quota (IFQ) system for Alaska was implemented by the United States in 1995.

D. Conservation and Management Measures:

2002 Interim Meeting:

The IPHC's 2002 Interim Meeting convened in Seattle, Washington, during November 20-21, 2002 to discuss administrative, financial, and preliminary 2002/2003 research results and future projects. On Wednesday, November 20, the Commissioners and Commission staff met behind closed doors to discuss administrative and financial issues internal to the Commission. Thursday, November 21, the Commission met in Administrative Session to hear staff discussion and reports on 2002/2003 research projects and proposed future research projects, as well as stock assessment and catch limits. Although this meeting was not open to the public, staff assessment of the fishery and catch limit recommendations were detailed in a news release after the meeting.

2003 Annual Meeting**:**

The IPHC held its 79th Annual Meeting in Victoria, British Columbia, during January 21-24, 2003. At this meeting, the Commission recommended to the governments of Canada and the United States catch limits for 2003 totaling 74,920,000 pounds, identical to the regulatory area catch limits in 2002.

The Commission staff reported on the assessment of the Pacific halibut stock in 2002. There were some significant changes in the assessment as a result of changes in the underlying data being analyzed and the persistence of smaller sizes at age in the central part of the halibut range. These changes created some uncertainty about differences in the biomass of the stock estimated from the current and the previous assessment. Analyses were conducted for the 2002 assessment to ensure that the stock is not in any danger of being overharvested. However, the staff needs to resolve these technical issues of the assessment over the next year. In addition, Commission staff is investigating a new harvest policy that may result in greater stability in the yield from the fishery and insulate the process of setting catch limits from technological changes in the assessment. This harvest policy will also need to be reviewed by the Commission. The resolution of the technical issues of the assessment may indicate a larger estimate of biomass in the central region of the stock distribution but application of the proposed harvest policy might dictate slightly lower yields. Since these two processes may be somewhat counterbalancing, the staff wishes to complete its investigations before recommending any changes to present catch limits or the harvest policy. While the trajectory of the halibut stock biomass is downward, the biomass is still above the long-term average level and is expected to remain above this level for the next several years.

2003 Catch Limits: The Commission received regulatory proposals for 2003 from the scientific staff, Canadian and U.S. harvesters and processors, and other fishery agencies. The Commission recommended to the governments the

following catch limits for 2003 in Area 2A (California, Oregon, and Washington), Area 2B (British Columbia), Area 2C (southeastern Alaska), Area 3A (central Gulf), Area 3B (western Gulf), Area 4A (eastern Aleutians), Area 4B (western Aleutians), Area 4C (Pribilof Islands), Area 4D (northwestern Bering Sea), and Area 4E (Bering Sea flats):

Area	Catch Limit (Pounds)	
2A Non-treaty directed commercial (south of Point Chehalis)		222,700
2A Non-treaty incidental catch in salmon troll		39,300
2A Non-treaty incidental catch in sablefish longline fishery (north of Point Chehalis)		70,000
2A Treaty Indian commercial		456,500
2A Treaty Indian ceremonial and subsistence (year-round)		27,000
2A Sport - North of Columbia River		232,499
2A Sport - South of Columbia River		262,001
2A (total)	1,310,000	
2B	11,750,000	
2C	8,500,000	
3A	22,630,000	
3B	17,130,000	
4A	4,970,000	
4B	4,180,000	
4C	2,030,000	
4D	2,030,000	
4E	390,000	
Total:	74,920,000	

The catch limits for Regulatory Areas 4C, 4D, and 4E reflect the catch-sharing plan implemented by the North Pacific Fishery Management Council (NPFMC). The NPFMC catch-sharing plan in Area 4 allows the Commission to set biologically-based catch limits for Areas 4A, 4B, and a combined Area 4C-D-E. The catch-sharing plan allows Area 4D Community Development Quota (CDQ) harvest to be taken in Area 4E. The requirements for fishing Area 4D CDQ in Area 4E will be part of regulations promulgated by the U.S. National Marine Fisheries Service (NMFS) and will be reflected in the IPHC regulations.

The catch-sharing plan implemented by the Pacific Fishery Management Council (PFMC) for Area 2A was adopted by the Commission and is reflected in the catch limits adopted for the Area 2A fisheries. Fishing dates for an incidental commercial halibut fishery concurrent with salmon troll fishing seasons in Area 2A and the incidental commercial halibut fishery during the sablefish fishery north of Point Chehalis will be established under U.S. domestic regulations established by NMFS. The remainder of the Area 2A catch-sharing plan, including sport fishing seasons and depth restrictions, will be determined under regulations promulgated by NMFS. For further information of the depth restrictions in the commercial directed halibut fishery, incidental halibut during the sablefish fishery, and the sport fisheries, call the NMFS hotline (1-800-662-9825).

In Area 2A, seven 10-hour fishing periods for the non-treaty directed commercial fishery are recommended: June 25, July 9, July 23, August 6, August 20, September 3, and September 17. All fishing periods will begin at 8:00 a.m. and end at 6:00 p.m. local time, and will be further restricted by fishing period limits announced at a later date.

2003 Seasons: The staff reported to the Commission on its further investigation of the issues associated with an extended halibut fishing season. The Commission conducted extensive discussions on the season extension issue and

received several industry proposals and public testimony. After reviewing staff information and proposals from the harvesting sector, the Commission voted to extend the season by two weeks at the beginning of the season. Therefore, the treaty Indian commercial fishery in Area 2A, the Canadian Individual Vessel Quota (IVQ) fishery in Area 2B, and the U.S. Individual Fishing Quota (IFQ) and CDQ fisheries in Areas 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E will all commence at 12 noon local time on March 1st and terminate at 12 noon local time on November 15th, 2003.

In addition, the Commission directed the staff to form an industry-agency task force and provide a report and recommendations on how a season of up to 12 months could be accommodated. The task force report will be presented to the Commission at its 2003 Interim Meeting in November.

2003 Regulatory Changes: The Commission approved several minor clarifications to the regulations. The regulation allowing fillets from legally landed and retained fish to be possessed only aboard a vessel, in port, up to 1800 hours local time on the calendar day following the offload was revised to state "harvesting" vessel. The requirement of vessel operators for retaining records was revised to reflect the defined term of landed rather than delivered halibut.

The Commission agreed to amend its regulations concerning clearances into and out of Area 4 to accommodate a NOAA Fisheries Office for Enforcement request that vessels equipped with Vessel Monitoring Systems (VMS) be exempted from clearance requirements. The exemption would only apply if VMS systems are installed and operated according to Enforcement's standards and conditions. Full details on the requirements have been published in IPHC regulations and will be available on the NOAA Enforcement website (http://www.nmfs.noaa.gov) or by phone at (907) 586-7200.

The coordinates for the Cape Spencer light used for the Area 2C-3A boundary were updated (58°11'54" N, 136°38'24" W) to agree with the U.S. Coast Guard light list.

Other Actions: The regulations were not changed to require IPHC permits for tagging halibut and retaining halibut for research, or defining access for IPHC sampling, as requested by staff. The Commission agreed with the intent of recommended changes but wished to consider the impacts of these regulations on other agency activities. The Commission asked staff to monitor issues of access to fish for sampling and advise of any difficulties, while the potential regulation was being evaluated.

The Commission reviewed the request for changing the regulation from having all buoys onboard the vessel marked with vessel identifiers, to having only the setline buoys or the buoys in the water marked. The regulation was not changed but different enforcement agencies will review various buoy marking requirements and report to the Commission on potential standardization of marking, at the next Annual Meeting.

The Commission noted the concerns of local depletion by several groups. The staff will cooperate through DFO with the West Coast Vancouver Island Aquatic Management Board to investigate whether depletion of halibut off Vancouver Island has occurred and, if so, what mitigative measures might be possible. IPHC research projects in Area 4C, in conjunction with Central Bering Sea Fishermen's Association, will be continued in 2003. This research is examining oceanographic influences on halibut distribution.

The Commission honored Ms. Elise Pletnikoff of Kodiak, Alaska as the first recipient of the IPHC Merit Scholarship. Ms. Pletnikoff attended the meeting and was presented with a certificate and plaque, as well as the scholarship of $2,000 (U.S.). The Commissioners expressed their continued support for the scholarship program and commended the Scholarship Committee for their efforts in assessing the candidates.

The Commission notes that halibut bycatch mortality in non-target fisheries was reduced slightly in 2002, continuing the trend initiated by the 1991 Commission agreement to achieve lower bycatch mortality levels. However, the

Commission believes that progress on further reductions on bycatch mortality is desirable and that current levels of mortality reduce yield to the directed halibut fisheries. The Commission will continue to work with agencies of the two governments to achieve reductions in halibut bycatch mortality.

The Commission received statements of concern from industry about the level of NOAA Enforcement oversight of IFQ deliveries in Alaska. Commissioners discussed this issue with Enforcement staff and expressed their concern that Enforcement positions be fully staffed and that IFQ oversight be adequate.

The Commission acknowledged comments concerning aquaculture received in its public sessions. Recognizing that aquaculture development occurs in both countries, the Commission is concerned that all such developments incorporate monitoring and evaluation programs, such that wild Pacific halibut stocks will not be harmed. Staff was instructed to obtain present guidelines and standards for aquaculture licensing and operation in each country, for presentation to the Commission.

The Commissioners and staff will conduct a strategic consultation in the summer of 2003. This meeting will concentrate on Commission approaches to bycatch mortality in non-target fisheries, risk assessment and the presentation of uncertainty, harvest policy, and a strategic plan for Commission activities over the next decade.

The United States Government Commissioner, James Balsiger, was elected Chairman for the coming year. The Canadian Government Commissioner, Richard Beamish, was elected as Vice Chairman.

Future Meetings: The next Annual Meeting of the Commission will be held in Juneau, Alaska, from January 20-33, 2004.

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Convention for the Conservation of Anadromous Stocks in the North Pacific Ocean (Basic Instrument for the North Pacific Anadromous Fish Commission – NPAFC)

Basic Instrument

Convention for the Conservation of Anadromous Stocks in the North Pacific Ocean, 1992 (hereafter referred to as the "Convention," Senate Treaty Document 102-30, 102d Congress, 2d Session).

Implementing Legislation

The North Pacific Anadromous Stocks Act of 1992 (Title VIII of P.L. 102-567).

Member Nations

Canada, Japan, the Russian Federation, and the United States.

Commission Headquarters

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Budget

The approved NPAFC budget for Fiscal Year (FY) 2002/2003 (July 1, 2002-June 30, 2003) is Can$661,000, with each Party contributing Can$135,000. The budget estimate for FY 2003/2004 is Can$627,000, with each Party contributing Can$135,000. The budget forecast for FY 2004/2005 is Can$669,000. The forecast would require Party contributions to increase by Can$10,000, from Can$135,000 to Can$145,000.

U.S. Representation

A. Appointment Process:

The United States is represented on the Commission by not more than three U.S. Commissioners who are appointed by the President and serve at his pleasure. Each U.S. Commissioner is appointed for a term not to exceed 4 years, but is eligible for reappointment. Of the three Commissioners, one must be an official of the U.S. Government, one a resident of the State of Alaska, and the third a resident of the State of Washington. Candidates for the non-Federal Commissioner positions must be knowledgeable or experienced concerning anadromous stocks and ecologically-related species of the North Pacific Ocean.

In addition, the Secretary of State, in consultation with the Secretary of Commerce, may designate from time to time Alternate U.S. Commissioners to the NPAFC. The number of Alternate Commissioners that may be designated to a Commission meeting is limited to the number of authorized U.S. Commissioners that will not be present.

B. U.S. Commissioners:

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National Marine Fisheries Service, NOAA
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Guy R. McMinds
P.O. Box 67
Taholah, WA 98587

Frances Ann Ulmer
Lieutenant Governor, State of Alaska
P.O. Box 110015
Juneau, AK 99811

C. Advisory Structure:

The North Pacific Anadromous Stocks Act of 1992 established an Advisory Panel to the United States Section of the NPAFC. The Advisory Panel shall be composed of: (1) the Commissioner of the Alaska Department of Fish and Game; (2) the Director of the Washington Department of Fisheries and Wildlife; (3) one representative of the Pacific States Marine Fisheries Commission; and (4) 11 members (6 residents of the State of Alaska and 5 residents of the State of Washington) appointed by the Secretary of State, in consultation with the Secretary of Commerce, from among a slate of 12 persons nominated by the Governor of Alaska and a slate of 10 persons nominated by the Governor of Washington. There must be at least one representative of commercial salmon fishing interests and one representative of environmental interests on each of the Governors' slates. As is the case with NPAFC Commissioners, Advisors must be knowledgeable of North Pacific anadromous stocks and ecologically related species. Advisors serve for a term not to exceed 4 years, and may not serve more than two consecutive terms.

Description

A. Mission/Purpose:

The NPAFC serves as a forum for promoting the conservation of anadromous stocks and ecologically-related species, including marine mammals, sea birds, and non-anadromous fish, in the high seas area of the North Pacific Ocean. This area, as defined in the Convention, is "the waters of the North Pacific Ocean and its adjacent seas, north of 33° North Latitude beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured." In addition, the NPAFC serves as the venue for coordinating the collection, exchange, and analysis of scientific data regarding the above species within Convention waters. It also coordinates high seas fishery enforcement activities by member countries (the Convention prohibits directed fishing for salmonids and includes provisions to minimize the incidental take of salmonids in other fisheries in the Convention area).

B. Organizational Structure:

The NPAFC has three standing committees: the Committee on Enforcement, the Committee on Finance and Administration, and the Committee on Scientific Research and Statistics. The committees are responsible for providing accurate and timely advice to the Commission in the areas relating to the finances of the Secretariat and the scope of the enforcement activities and scientific research conducted under the auspices of the Commission.

C. Programs:

Representatives of Canada, Japan, Russia, and the United States met in Vladivostok, Russia, on October 6-11, 2002, for the Tenth Annual Meeting of the NPAFC. Observers from the North Pacific Marine Science Organization (PICES), Food and Agriculture Organization of the United Nation (FAO) and the Republic of Korea were also in

attendance. The meeting was chaired by Dr. Anatoly Makoedov, President of the NPAFC.

The NPAFC's Committees on Enforcement, Scientific Research and Statistics, and Finance and Administration met to consider activities of the Parties in support of the objectives of the Convention.

Committee on Enforcement:

The Committee on Enforcement reviewed enforcement efforts and activities in the Convention Area in 2002. All of the agencies directly responsible for the planning and execution of enforcement activities within the Convention Area attended, including representatives from the Department of Fisheries and Oceans Canada, the Fisheries Agency of Japan, the State Committee for Fisheries of the Russian Federation and the Russian Federal Border Service, the U.S. National Marine Fisheries Service, and the U.S. Coast Guard. The cooperative enforcement efforts of the Parties have been successful in reducing illegal fishing operations within this Convention Area. Illegal fishing operations have decreased from a high of 11 vessels in 1999 to almost no illegal activity in the past few years. The Committee assessed the effectiveness of the Joint Operations Information Coordination Group (JOICG) and recommended that JOICG be continued in 2003. The Enforcement Procedures Working Group was created to review the existing and other possible enforcement activities. Due to the continued threat of high seas fishing for salmon in the Convention Area, all Parties agreed to maintain 2003 enforcement activities at high levels as a deterrent to the threat of potential unauthorized fishing activities. Canada invited all of the participants to an enforcement evaluation and coordination meeting (EECM) in 2003 in Haida Gwaii, Queen Charlotte Islands. This will provide an opportunity to experience the value of Pacific salmon to First Nations cultures.

Committee on Scientific Research and Statistics:

The Committee on Scientific Research and Statistics reviewed and discussed research on a broad range of issues concerning Pacific salmonid stocks, such as changes in abundance, effects of ocean and atmospheric conditions, and other biological and ecological dynamics of salmonid production. Parties reviewed international cooperation in salmon research and adopted continuing cooperation initiatives through the Bering-Aleutian Salmon International Survey Plan (BASIS) and the associated NPAFC Science Workplan. BASIS will provide the first synoptic seasonal information on distribution, abundance, and stock origins of all salmon species in the Bering Sea and adjacent areas. A workshop, *Application of Stock Identification in Defining Marine Distribution and Migration of Salmon*, will be held following the 2003 NPAFC Annual Meeting. Workplan arrangements will be finalized at the Research Planning and Coordinating Meeting (RPCM) in spring 2003.

The NPAFC scientific initiatives will be integrated with other international organizations' research and data needs to meet the common challenges facing salmon.

Nearly 4.4 billion juvenile hatchery salmon were released in the North Pacific in 2001. This is a decrease from the 2000 level when 4.75 billion juvenile hatchery salmon were released. The total 2001 commercial salmon catch was 818,205 metric tons. While this is an increase over the 2000 commercial catch of 712,000 metric tons, commercial catches have been in a slow decline since reaching a peak in the mid-1990s. However, this decline is reflective of world markets and natural variations in stock abundance.

Committee on Finance and Administration:

The Committee on Finance and Administration considered and adopted the 2002/2003 budget. Administrative and financial topics were discussed and approved, including agreement to increase the level of contribution by each nation.

Next Meeting:

The 11th Annual Meeting of the NPAFC is scheduled to be held in Honolulu, Hawaii, on October 26-31, 2003.

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Treaty Between the Government of the United States of America and the Government of Canada Concerning Pacific Salmon (Basic Instrument for the Pacific Salmon Commission – PSC)

Basic Instrument

Treaty Between the Government of the United States of America and the Government of Canada Concerning Pacific Salmon, 1985.

Implementing Legislation

Pacific Salmon Treaty Act of 1985 (16 U.S.C. 3631).

Member States

The United States and Canada.

Commission Headquarters

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Budget

Each Party contributed Can$1,179,000 to the approved Commission budget for Fiscal Year 2001-2002 (April 1, 2001-March 1, 2002). The new budget for the fiscal year that starts April 1, 2002, is Can$2,798,496 with contributions of Can$1,346,738 from each Party.

U.S. Representation

A. Appointment Process:

The appointment process for U.S. members of the PSC includes several unique features. The legislation implementing the treaty specifies: "The United States shall be represented on the Commission by four Commissioners who are knowledgeable or experienced concerning Pacific salmon, to be appointed by and serve at the pleasure of the President. Of these, one shall be an official of the U.S. Government who shall be a non-voting member of the U.S. Section; one shall be a resident of the State of Alaska and shall be appointed from a list of at least six qualified individuals nominated by the Governor of that State; one shall be a resident of the States of Oregon or Washington and shall be appointed from a list of at least six qualified individuals nominated by the Governors of those States; and one shall be appointed from a list of at least six qualified individuals nominated by the treaty Indian Tribes of the States of Idaho, Oregon, or Washington. Two of the initial appointments shall be for 2-year terms; all other

appointments shall be for 4-year terms." Legislation also provides for the designation of an Alternate Commissioner for each Commissioner. In the absence of a Commissioner, the Alternate Commissioner may exercise all functions of the Commissioner.

B. Commissioners:

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W. Ron Allen
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C. Alternate Commissioners:

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Don Sampson
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D. Advisory Structure:

No formal advisory group currently exists.

Description

A. Mission/Purpose:

The PSC's mission is to serve as a forum for cooperation between the United States and Canada in the establishment of general fishery management regimes for the international conservation and harvest sharing of intermingling North Pacific salmon stocks. Implementation of the principles of the Pacific Salmon Treaty should enable the two countries, through better conservation and enhancement, to "prevent overfishing and provide for optimum production; and provide for each Party to receive benefits equivalent to the production of salmon originating in its waters." The Commission also serves as a forum for consultation between the Parties on their salmonid enhancement operations and research programs.

B. Organizational Structure:

The Commission has a complex organizational structure which includes four regional Panels (Northern, Transboundary, Fraser River, and Southern) consisting of 23 U.S. Panel Members (15 of whom are appointed by the Secretary of Commerce). Each Panel member on the Northern, Fraser River, and Southern Panels has an Alternate Member (16 total, 9 of whom are appointed by the Secretary of Commerce). The Northern Panel's stocks of concern

are those originating in rivers between Cape Suckling in Alaska and Cape Caution in British Columbia. The Transboundary Panel's stocks of concern originate in rivers in British Columbia that flow to the sea through Southeast Alaska. The Fraser River Panel is the only panel with regulatory responsibility. It is responsible for stocks of sockeye and pink salmon originating in the Fraser River. The Southern Panel is concerned with stocks originating in rivers south of Cape Caution (not including Fraser River pink and sockeye salmon).

The Panels are responsible for providing advice to the Commission on the management regimes for the intercepting salmon fisheries in those regions, i.e., those in which one or both countries intercept salmon spawned in the other country. This is done by reviewing technical data on annual fishing plans, regulations, and the salmon enhancement programs of each country. Based on the advice provided by the Panels, the PSC formulates management recommendations, including catch limits and related regulations, to present to the two governments. These recommendations become effective upon approval by both governments.

C. Programs:

On June 30, 1999, the United States and Canada signed a new Pacific Salmon Agreement, thereby resolving one of the most contentious issues in the U.S.-Canada relationship. The agreement concluded 7 years of negotiations and establishes new fishing regimes under the 1985 Pacific Salmon Treaty to protect and rebuild salmon stocks.

The long-term agreement secures a management and harvest-sharing framework for the next decade. Most of the new fishery arrangements will be in effect for 10 years, beginning in 1999. The arrangement concerning the management of Fraser sockeye and pink salmon will be in effect for 12 years, also beginning in 1999.

The agreement establishes abundance-based fishing regimes, based on run strength, for the major salmon intercepting fisheries in the United States and Canada. Larger catches will be allowed when abundance is higher and catches will be constrained in years when abundance is down. These regimes are designed to implement the conservation and harvest sharing principles of the Pacific Salmon Treaty.

Also under the agreement, two bilaterally-managed regional funds were established. The funds will be used to improve fisheries management and aid efforts to recover weakened salmon stocks. Subject to availability of appropriated funds, the United States will contribute US$75 million and US$65 million to a northern and southern fund, respectively, over a 4-year period. The agreement also highlights the importance of habitat protection and restoration to achieving the log-term objectives of the Parties relative to salmon. It also includes a commitment by the two countries to improve how scientific information is obtained, shared, and applied to the management of the resource.

Overview of the Agreement:

Transboundary Rivers (Chapter 1): This agreement specifies arrangements for sockeye, coho, chinook, and pink salmon management for several rivers that flow from Canada to the Pacific Ocean through the Alaskan panhandle, including the Stikine, Taku and Alsek rivers. An attachment to the agreement describes programs and associated costs for joint enhancement of sockeye salmon in the Taku and Stikine rivers.

Northern British Columbia and Southeast Alaska (Chapter 2): This agreement addresses the management of sockeye, pink and chum salmon fisheries in southeast Alaska and northern British Columbia. It specifies how the fisheries will be managed to achieve conservation and fair sharing of salmon stocks that intermingle in the border area. The fixed catch ceilings contained in the expired agreements are replaced with abundance-based provisions that allow harvests to vary from year to year depending on the abundance of salmon. Of particular note, because they resolve long-contentious issues, are agreements governing the harvest of sockeye in Alaska's purse seine fisheries near Noyes Island (District 104) and the gillnet fishery at Tree Point (District 101), and Canada's various marine net fisheries for pink salmon and its troll fishery for pink salmon in Canadian Area 1.

Chinook Salmon (Chapter 3): Because they pass through fisheries regulated by many jurisdictions in both Canada and the United States, chinook salmon have been the focus of increasing concern and controversy in recent years. Although some chinook populations are relatively healthy, particularly the "far north migrating stocks" that tend to migrate to the marine waters near Alaska to grow and mature, others have been so diminished in recent years that they have been listed by the U.S. federal government under the Endangered Species Act. The new chinook regime encompasses marine and certain freshwater fisheries in Alaska, Canada, Washington, and Oregon. All chinook fisheries will be managed based on abundance, replacing the fixed catch quotas that applied in previous regimes. Two types of fisheries have been designated: (1) those that will be managed based on the aggregate abundance of chinook salmon present in the fishery, and (2) those that will be managed based on the status of individual stocks or stock groups in the fishery.

The agreement provides a degree of flexibility to allow management agencies to decide how best to distribute the harvest impacts across their various fisheries to reflect domestic fishery priorities, provided the over-all reductions are achieved. For some chinook stocks, the total reductions will have to be much greater than the general obligation, due to the need to provide extra protection for certain very depressed stocks. The general obligation will not apply to hatchery stocks or healthy natural stocks that are achieving escapement objectives and can support harvest. In addition to predetermined harvest schedules, the agreement contains provisions that specify conditions under which even greater harvest reductions will apply. These so-called "weak stock" provisions serve as a safety valve to afford additional protection to stocks that may fail to respond to the recovery programs.

Fraser River Sockeye and Pink Salmon (Chapter 4): Although much of the structure of the previous agreements relating to the Fraser River is retained, the new agreement requires a reduction of the U.S. share of Fraser sockeye, which will be phased in by 2002. When completed, the U.S. share in Washington State will be 16.5 percent of the total allowable catch. (By way of contrast, the U.S. share specified in the first 4 years of the Pacific Salmon Treaty was approximately 26 percent.) The U.S. share of Fraser pink salmon will be 25.7 percent of the total allowable catch.

Coho Salmon (Chapter 5): The coho agreement essentially provides a blueprint and specifications (biological criteria) for a conservation-based regime for border area fisheries in southern British Columbia and Washington State. The specifics of the regime were bilaterally developed and were agreed to in February of 2002. The new regime will includes rules that will establish harvest limits in specified border area fisheries. The rules are designed to limit exploitation rates on natural coho stocks to sustainable levels, taking into account all fisheries affecting the stocks, thereby improving the long term prospects of sustainable, healthy fisheries in both countries.

Southern British Columbia and Washington State Chum Salmon (Chapter 6):. This chapter incorporates certain refinements to the provisions that trigger fisheries directed at chum salmon in the Strait of Georgia and Puget Sound. These refinements will have only a minor impact on the allocations of catches, but will improve the effectiveness of the regime. Additionally, at the request of the United States, Canada has agreed to require the live release of chum salmon in certain of its net fisheries in its southern boundary areas at those times of the year when "summer chum"--a species recently listed as threatened under the ESA--may be present in the areas. Both countries agreed to collect better data relating to these fish.

The 1999 agreement can be found at: http://www.state.gov/www/global/oes/oceans/990630_salmon_index.html.

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Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea

Implementing Legislation

There is no implementing legislation for the Convention.

Parties

Japan, People's Republic of China (China), Republic of Korea (Korea), Republic of Poland (Poland), Russian Federation, and the United States.

Description

A. Mission/Purpose:

The objectives of the Convention are:

> "1. to establish an international regime for conservation, management, and optimum utilization of pollock resources in the Convention Area [the high seas area of the Bering Sea beyond the U.S. and Russian 200-mile jurisdictions];
>
> 2. to restore and maintain pollock resources in the Bering Sea at levels which will permit their maximum sustainable yield;
>
> 3. to cooperate in the gathering and examining of factual information concerning pollock and other living marine resources in the Bering Sea; and
>
> 4. to provide, if the Parties agree, a forum in which to consider the establishment of necessary conservation and management measures for other living marine resources in the Convention Area as may be required in the future."

B. Organizational Structure:

The Convention does not provide for a commission. It does, however, specify that Parties will convene an Annual Conference and establish a Scientific and Technical (S&T) Committee. The functions of the Annual Conference are, among other things, to establish an annual harvest level (AHL) for pollock in the Convention Area, establish an annual individual national pollock quota for each Party, adopt appropriate pollock conservation and management measures, establish a Plan of Work for the S&T Committee, and discuss cooperative enforcement measures and receive enforcement reports from each Party. Parties may also use the Annual Conference to determine the scope of any cooperative scientific research on, and conservation and management measures for, living marine resources other than pollock covered by the Convention.

The S&T Committee has the charge to "compile, exchange, and analyze information on fisheries harvests, fish stocks, and other living marine resources covered by this Convention in accordance with the Plan of Work established by the Annual Conference, and shall investigate other scientific matters as may be referred to it by the Annual Conference." The S&T Committee also makes recommendations to the Annual Conference regarding the conservation and management of pollock, including the AHL.

C. Advisory Body:

No formal U.S. advisory body has been legislated for the Convention. However, the U.S. Department of State has invited the 12-member "North Pacific and Bering Sea Fisheries Advisory Body," appointed to advise the U.S. Representative to the U.S.-Russia Intergovernmental Consultative Committee (ICC), to serve informally as the advisory body. This group consists of the following individuals:

-- The Director of the Department of Fisheries and Wildlife of the State of Washington;
-- The Commissioner of the Department of Fish and Game of the State of Alaska;
-- Five members appointed by the Secretary of State from a list of 10 nominees provided by the Governor of Alaska; and,
-- Five members appointed by the Secretary of State from a list of 10 nominees provided by the Governor of Washington.

D. Background:

The development in the mid-to-late 1980s of an extensive pollock fishery in the central Bering Sea area of the Aleutian Basin, beyond the U.S. and Russian 200-mile zones, was of great concern to U.S. and Russian fishing interests. The United States closed a domestic fishery as a result of the adverse impact this unregulated fishery, which was being prosecuted mostly by distantwater fishing nations, was having on U.S. pollock stocks. Concern also extended to bycatch problems associated with the fishery.

The central Bering Sea pollock fishery was being conducted by trawl vessels from China, Japan, Korea, Poland, and the former Soviet Union. Catch data submitted by these countries indicated that annual harvests in the area rose to approximately 1.5 million metric tons (mt) in the years leading up to 1989. Largely due to drastic declines in catch and catch-per-unit-effort from 1990, leading to a total catch of under 300,000 mt in 1991 and under 11,000 mt in 1992, the governments involved agreed to a voluntary suspension of fishing in the area for 1993-94. During the 2-year suspension of fishing, an agreed scientific monitoring program was carried out that showed no evidence of the recovery of the resource.

On February 11, 1994, the Parties completed 3 years of negotiations and initialed the Convention on the Conservation and Management of Pollock Resources in the central Bering Sea. Its major principles include: no fishing permitted in the Convention area unless the biomass of the Aleutian Basin stock exceeds a threshold of 1.67 million mt (if the parties cannot agree on an estimate of the biomass, the estimate of the Alaska Fisheries Science Center and its Russian counterpart will be used); allocation procedures; 100 percent observer and satellite transmitter coverage; and prior notification of entry into the Convention area and of transshipment activities.

On June 16, 1994, the Convention was signed by China, Korea, the Russian Federation, and the United States. Japan and Poland signed it on August 4, 1994, and August 25, 1994, respectively. The Convention entered into force on December 8, 1995, for Russia, Poland, China, and the United States, December 21, 1995, for Japan, and January 4, 1996, for Korea.

Current Status

Representatives of the United States, China, Japan, Korea, Poland, and Russia met in Moscow, Russia, on September 16-19, 2002, for the 7th Annual Conference of the Parties. The Conference was chaired by Dr. Boris Kotenov, Director, Russian Federal Research Institute of Fisheries and Oceanography (VNIRO). Dr. Richard Marasco, NOAA Fisheries Alaska Fisheries Science Center, represented the United States at the Annual Conference. The first half of the meeting was devoted to a Scientific and Technical (S&T) Committee meeting. Plenary sessions of the Annual Conference were conducted during the remainder of the meeting.

As mentioned above, the major functions of the Annual Conference are, among other things, to establish an AHL for pollock in the central Bering Sea for the following year, establish an INQ for each Party, establish a Plan of Work for the S&T Committee, and adopt appropriate pollock conservation and management measures for the Convention area.

2003 AHL and INQs: The Convention directs the Annual Conference to establish by consensus of the Parties the pollock AHL for the central Bering Sea for the succeeding year, based upon the assessment of the total Aleutian Basin pollock biomass by the S&T Committee. At the 7th Annual Conference, all Parties agreed with the S&T Committee's conclusions that, despite the extensive research efforts of the Parties in 2002, there were insufficient data to directly determine the total Aleutian Basin pollock biomass. When this is the case, the Annex to the Convention allows the coastal states (the United States and Russia) to establish the biomass based on the best available scientific data. If the coastal states still have insufficient information to establish the biomass, the Annex contains a default mechanism that deems the pollock biomass of the "Specific Area," a subset of the Bogoslof Island area in the U.S. zone, to represent 60 percent of the Aleutian Basin pollock biomass. Per the Annex, if the extrapolated estimate of the total Aleutian Basin pollock biomass is less than 1.67 million metric tons (mt), the AHL is set at zero and there is no directed fishing for pollock in the central Bering Sea for the succeeding year.

The best available information in 2002 to estimate the biomass indirectly was obtained from a midwater echo integration-trawl survey conducted by the United States with the R/V *MILLER FREEMAN*. This survey was carried out in the Specific Area in February-March 2002. U.S. scientists estimated the pollock biomass for this area to be 227,000 mt--the second lowest on record. Using the default mechanism mentioned above, the total Aleutian Basin pollock biomass was estimated to be 378,333 mt, approximately 1.3 million mt below the 1.67 million mt threshold that would trigger a commercial fishery pursuant to the Convention.

Only China conducted trial fishing operations in the Convention Area since the 6th Annual Conference held in Poland in September 2001. China sent two vessels to the Convention Area from November 11-14, 2001, but reported no pollock catch.

Despite arguments from several of the distantwater Parties for setting an AHL regardless of the low pollock biomass, Parties were unable to reach a consensus and the 2003 AHL was set at zero. INQs were consequently also set at zero. 2004 will mark the 11th anniversary of the moratorium on commercial pollock fishing in the central Bering Sea.

Work Plan for the S&T Committee: All Parties agreed to begin developing a cooperative research plan for 2003. They agreed that there is a need for a comprehensive survey of the Convention Area for the purpose of determining the AHL. Korea will host a meeting on May 12-14, 2003, in Pusan to develop a survey plan. The Parties also agreed to discuss integrating trial fishing with research activity.

Terms and Conditions for Trial Fishing in the Convention Area in 2003: Parties agreed to apply the rules and conditions for trial fishing established at the 6th Annual Conference in Poland in 2001 for 2003. One of the key conditions is that no more than two vessels from each Party may conduct trial fishing in the Convention area at any one time. China, Korea, and Russia indicated interest in conducting trial fishing operations in the Convention Area in 2003.

Central Bering Sea Management System: The Parties deferred discussion on several outstanding components of a fisheries management system (the number and priority placement of observers on fishing vessels, the number of vessels to be allowed to fish, and the fishing season) until the next Annual Conference.

Transparency: The Parties agreed to the same interim observer rules for 2003 that were employed from 1998-2002.

These rules do not address attendance by non-governmental observers, only observers from regional and intergovernmental organizations.

8th Annual Conference: The United States offered to host the 8th Annual Conference of the Parties in Portland, Oregon, the week of September 15, 2003. Dr. James Balsiger, Administrator, NOAA Fisheries Alaska Region, was elected Chairperson for the meeting. Mr. Takashi Mori, Director, International Affairs Division, Fisheries Agency of Japan, was elected Vice-Chairperson.

Copies of the approved reports of the 2002 Annual Conference and the S&T Committee are available from NOAA Fisheries upon request.

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Treaty Between the Government of the United States of America and the Government of Canada on Pacific Coast Albacore Tuna Vessels and Port Privileges

Implementing Legislation

Implementing legislation is in preparation.

Parties

The United States and Canada.

Description

Under the Treaty, each Party allows fishing vessels of the other Party to fish for albacore tuna in waters under its fisheries jurisdiction beyond 12 nautical miles. In addition, each Party allows the albacore tuna fishing vessels of the other Party to enter its designated ports to:

- land their catches of albacore tuna without payment of duties and
    - transship them in bond under customs supervision to any port of the flag state or
    - sell them for export in bond or
    - sell them locally on payment of the applicable customs duty and
- obtain fuel, supplies, repairs, and equipment on the same basis as albacore tuna vessels of the other Party.

Each Party provides annually to the other Party a list of its fishing vessels that propose to fish for albacore tuna off the coast of the other Party. Vessels of each Party are to keep records of the number and weight of albacore tuna caught in the jurisdiction of the other Party and to submit such information to the flag state so that each Party can exchange this information. If required by either Party, vessels must, upon entering and at least 24 hours prior to leaving the fisheries jurisdiction of such Party, notify appropriate authorities of that Party.

Current Issues

Since the Treaty entered into force in 1982, fishing under the Treaty has tended to occur predominantly in one Party's fisheries jurisdiction or the other, according to the range and availability of the fish in that year. In recent years, fishing under the Treaty has occurred predominantly in the U.S. exclusive economic zone. Moreover, both the number of Canadian fishing vessels and their fishing effort have increased substantially in these recent years, giving rise to concerns over the balance of benefits to the respective Parties under the Treaty. Accordingly, under Article VI of the Treaty, the United States in 2001 requested consultations with Canada for the purpose of discussing limitations on the catch or effort by fishing vessels of one Party operating in the jurisdiction of the other Party. Following initial consultations, there were three negotiating sessions that culminated in agreement in summer 2002 on major changes to the Treaty and its Annexes. Treaty changes are subject to ratification, and diplomatic steps have been taken to agree to other Annex changes. The effects of the amendments include:

- There will be a limits on reciprocal fishing by vessels of one Party in the other Party's waters/
- The limits will gradually decrease over a three-year period.
- There will be annual Treaty consultations.
- Vessel marking and identification requirements will change to facilitate enforcement.

- The Parties will establish mechanisms to monitor vessel movements across boundaries and to exchange information on such movements to assure that the fishing limits will be enforced.
- The Parties will exchange scientific and fishery information more regularly.

NOAA Fisheries and the Department of State are proposing enactment of legislation to provide authority for rulemaking to ensure that NOAA Fisheries can carry out U.S. obligations under the amended Treaty. The Southwest Region has sponsored meetings with Canadian officials and U.S. industry to seek agreement on specific methods for monitoring fleet activity through hail-in/hail-out requirements of different types. The target for implementation of the new regime is June 2003.

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Treaty on Fisheries Between the Governments of Certain Pacific Island States and the Government of the United States of America (South Pacific Tuna Treaty -- SPTT)

Implementing Legislation

South Pacific Tuna Act of 1988 (54 FR 4033, January 27, 1989; 56 FR 19312, April 26, 1991).

Parties

The United States, Australia, Cook Islands, Federates States of Micronesia (FSM), Fiji, Kiribati, Marshall Islands, Nauru, New Zealand, Niue, Palau, Papua New Guinea, Solomon Islands, Tonga, Tuvalu, Vanuatu, and Samoa.

Description

The SPTT entered into force in 1988. After an initial 5-year agreement, the SPTT was renewed in 1993 and is scheduled to expire on June 14, 2003. The current agreement allows access for up to 50 U.S. purse seiners, with an option for 5 more if agreed to by all parties, to fish for tuna in the EEZ's of the following countries: Australia, Cook Islands, FSM, Fiji, Kiribati, Marshall Islands, New Zealand, Niue, Palau, Papua New Guinea, Solomon Islands, Tonga, Tuvalu, Vanuatu, Samoa. The overall SPTT area is 10 million square miles.

The Treaty is said to be working efficiently and to the benefit of all involved. It has been viewed as a model of international and fishery cooperation. Issues that arise typically are addressed in formal annual consultations between U.S. Government and Pacific Island States representatives, or during informal discussions which also have taken place on an annual basis for the last 5 years. The Department of State has specific authority to act for the United States.

Budget

Of the total cost for access under the SPTT, the U.S. tuna industry, as coordinated by the United States Tuna Foundation (USTF), provides $4 million each year to the Forum Fisheries Agency (FFA) located in Honiara, Solomon Islands. The FFA Director and staff act as the SPTT Administrators for the Pacific Island Governments party to the agreement. The FFA deducts a small amount for treaty administration, after which 15 percent of the revenue is divided equally among FFA members, with the remaining balance (85 percent) distributed on a *pro rata* basis depending on the weight of tuna landed in each respective EEZ. The Director of the FFA is currently Feleti P. Teo (telephone: 677-21124; fax: 677-23995). The Deputy Director is Barry Pollack (barry.pollock@ffa.int). The FFA Staff Treaty Administrator is Kaburoro Ruaia (kaburoro.ruaia@ffa.int).

Also associated with the SPTT is an economic assistance agreement between the U.S. Government (U.S. Agency for International Development) and the FFA. The U.S. Government pays $14 million, due on June 15 of each year, into an economic development fund administered by the FFA. The FFA ensures that the fund is used to support economic development programs in the region. Under the terms of the SPTT, both the U.S. tuna industry and the U.S. Government annual payments must be made before any fishing licenses will be issued.

In addition to paying access fees, the U.S. tuna industry also pays the FFA all costs associated with an agreed upon observer coverage rate of 20 percent (including training), vessel monitoring system deployment and associated recurring costs, and a regional registration fee. The U.S. industry also supports a FFA coordinated purse seine crew clearing house to assist vessel owners place Pacific Island crew aboard vessels.

Although the major beneficiaries vary from year to year, on average the Governments of Papua New Guinea, FSM, the Solomon Islands, and Kiribati receive the greatest share of the funds distributed. For the Tuvalu and Kiribati, revenues derived from tuna access agreements can make up 30-40 percent of the total monies available to those Governments.

U.S. Administration

U.S. operational, administrative, and enforcement commitments under the SPTT are carried out by the National Marine Fisheries Service (NMFS). These responsibilities are implemented by the NMFS Southwest Regional Administrator. The NMFS Southwest Region maintains a field station in Pago Pago, American Samoa, to collect fishery data required by the SPTT, while the Southwest Fisheries Science Center (SWFSC), located in La Jolla, California, is responsible for related data collation and summarization. SPTT catch and effort data generated by U.S. purse seine vessels are sent on a bimonthly basis from the SWFSC to the FFA. The United States Tuna Foundation also plays an integral role in the SPTT with coordination of all payments and participation in all treaty matters.

In October 1997, the NMFS Assistant Administrator approved an initiative of the Southwest Regional Administrator to consolidate all matters relating to fishery policy and management pertinent to the western and south Pacific in the Pacific Islands Area Office (PIAO), located in Honolulu, Hawaii. The PIAO Administrator is responsible for the day-to-day administration of the SPTT.

Current Issues

Delegations from the United States and the 16 states of the South Pacific Forum Fisheries Committee (FFC) met in Kiritimati, Republic of Kiribati, from March 20-24, 2002. The meeting was the third and final negotiation session to amend and extend the SPTT and to extend the related economic assistance agreement between the United States and the FFA beyond the current expiration date of June 14, 2003. The United States and the 16 Pacific Island parties were able to reach agreement on a package of amendments to the treaty and its annexes, such as updating the methods available for reporting; a revised procedure for amending the annexes; a revised observer program fee formula; provisions on the use of a vessel monitoring system (vms); and general provisions on fishing capacity, revenue sharing, and linkages between the treaty and the Western and Central Pacific Tuna Convention (WCPTC), among others. In addition, the Parties agreed on the number of fishing licenses (maximum of 40 licenses plus 5 additional licenses reserved for joint venture arrangements), the level of annual industry license fees (US$3 million), and the level of annual economic assistance provided by the U.S. Government under the economic assistance agreement associated with the Treaty (US$18 million).

Despite initial positions that were far apart, particularly on the level of industry fees, economic assistance and the Number of licenses, the parties were able to reach agreement by approaching the issues in a cooperative and productive spirit with the common goal of ensuring the extended operation of the Treaty. The package of agreed amendments meets the needs and interests of both the Pacific Island Parties and the U.S. Government and industry and ensures the continued operation of the Treaty for an additional 10 years, through June 14, 2013.

Future Meetings: The next annual formal consultation between the Parties will be held in Christmas Island, Kiribati, in March 22-23, 2002.

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SOUTHERN OCEAN

Convention for the Conservation of Antarctic Marine Living Resources (Basic Instrument for the Commission for the Conservation of Antarctic Marine Living Resources – CCAMLR)

Basic Instrument

Convention for the Conservation of Antarctic Marine Living Resources (TIAS 10240), 1982.

Implementing Legislation

Antarctic Marine Living Resources Convention Act of 1984 (16 U.S.C. 2431).

Member Nations

Argentina, Australia, Belgium, Brazil, Chile, European Community, France, Germany, India, Italy, Japan, Republic of Korea, Namibia, New Zealand, Norway, Poland, Russian Federation, South Africa, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay (note: Bulgaria, Canada, Finland, Greece, the Netherlands, Peru and Vanuatu have acceded to the Convention, but are not members of the Commission).

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Budget

A budget of Australian $2,857,700 was adopted for 2003. The U.S. share for the 2003 budget is A $100,457.

U.S. Representation

A. Appointment Process:

The Secretary of State, with the concurrence of the Secretary of Commerce and the Director of the National Science Foundation, appoints an officer or employee of the United States as the U.S. representative to the Commission. The Secretary of Commerce and the Director of the National Science Foundation, with the concurrence of the Secretary of State, designates the U.S. representative to the Scientific Committee.

B. U.S. Representative to the Commission:

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C. Advisory Structure:

The U.S. Representative to the Scientific Committee is responsible for providing scientific advice to the Commissioner on the operation of the U.S. Antarctic Marine Living Resources (AMLR) directed research program; on the status of krill, finfish, squid, marine mammal, and bird populations; on data requirements; on the long-term program of work of the Scientific Committee; and on recommendations for conservation and management measures.

The Commission also receives advice from its two standing committees, the Standing Committee on Compliance and Inspection (SCIC) and the Standing Committee on Administration and Finance (SCAF).

Permanent Working Groups on Fish Stock Assessment (WG-FSA) and Ecosystem Monitoring and Management (WG-EMM) have been constituted to develop and review research proposals and results.

The Commission is also currently assisted by an ad hoc Working Group on Incidental Mortality Arising from Fishing (WG-IMAF); an informal working group on the Catch Documentation Scheme (CDS) for Dissostichus species (toothfish); and a Joint Assessment Group (JAG) comprising members of both SCIC and the Scientific Committee to coordinate on estimates of illegal, unregulated and unreported fishing in the Convention Area.

Description

A. Mission/Purpose:

The 1982 Convention established CCAMLR for the purpose of protecting and conserving the marine living resources in the waters surrounding Antarctica. The Convention is based upon an ecosystem approach to the conservation of marine living resources and incorporates standards designed to ensure the conservation of individual populations and species and the Antarctic marine ecosystem as a whole.

The Convention applies to the Antarctic marine living resources of the area south of 60% South latitude and to the Antarctic marine living resources of the area between that latitude and the Antarctic Convergence which form part of the Antarctic marine ecosystem. The Antarctic Convergence is deemed to be a line joining the following points along parallels of latitude and meridians of longitude: 50˚S, 0˚; 50˚S, 30˚E; 45˚S, 30˚E; 45˚S, 80˚E; 55˚S, 80˚E; 55˚S, 150˚E; 60˚S, 150˚E; 60˚S, 150˚E; 60˚S, 50˚W; 50˚S, 50˚W; 50˚S, 0˚.

B. Organizational Structure:

CCAMLR is comprised of the Commission, Executive Secretary, and the Scientific Committee. The Commission consists of one representative from each member nation and is responsible for facilitating research, compiling data on the status of and changes in Antarctic marine living resources, ensuring the acquisition of catch and effort data, publishing information, identifying conservation needs, adopting conservation measures, and implementing a system of observation and inspection. The Executive Secretary handles the administrative matters for the Commission. The Scientific Committee is comprised of scientific advisors from the member nations. It sponsors the permanent working groups and recommends research programs and conservation and other measures to the Commission. These are WG-FSA and WG-EMM.

U.S. participation on the Scientific Committee and on WG-FSA and WG-EMM is supported by the activities of the U.S. Antarctic Marine Living Resources (AMLR) Directed Research Program, conducted by the National Marine Fisheries Service's Antarctic Ecosystem Research Group (AERG), Southwest Fisheries Science Center, La Jolla, California.

C. Programs:

The Commission adopted its first conservation measures during the 1984 session (CCAMLR III). At its Twenty-first session, October 21-November 1, 2002 the Commission adopted 34 conservation measures and 2 resolutions including measures to: restrict overall catches and bycatch of certain species of fish, krill and crab; limit participation in several exploratory fisheries; restrict fishing in certain areas and to certain gear types; set fishing seasons; further address seabird mortality; and amend and clarify the catch documentation scheme (CDS) for Dissostichus species. The Commission agreed to a pilot project for the US-proposed, web-based electronic, paperless system for tracking toothfish harvest and trade

The Commission adopted a resolution relating to "Harvesting D. eleginoides in Areas Outside of Coastal State Jurisdiction Adjacent to the CCAMLR Area in FAO Statistical Areas 51 and 57." The resolution recommends that Members provide data and other information, subject to their laws and regulations, relevant to understanding the biology and estimating the status of stocks in these areas. It also recommends that Members take steps necessary to conduct only that level of toothfish harvesting in these areas, which will ensure the conservation of this species in the Convention Area.

The Commission revised the Scheme to Promote Compliance by Non-Contracting Party Vessels with CCAMLR Conservation Measures by establishing a list of non-Contracting Party vessels (Vessel List) whose fishing activities in the Convention Area have diminished the effectiveness of CCAMLR conservation measures in force.
The Scheme to Promote Compliance by Contracting Party Vessels with CCAMLR Conservation Measures is a new measure. It requires the Commission to identify those Contracting Parties whose vessels have engaged in fishing activities in the Convention Area in a manner which has diminished the effectiveness of CCAMLR conservation measures in force, and to establish a list of such vessels (IUU Vessel List).

Measures regulating new and exploratory fisheries were revised to restrict access to these fisheries to vessels that are equipped and configured so that they can comply with all relevant conservation measures. A vessel with a confirmed involvement in IUU fishing with respect to the CCAMLR schemes to promote compliance by Contracting and non-Contracting Party vessels will not be allowed to participate in these fisheries.

The measure on Port Inspections of Vessels Carrying Toothfish was revised to require that Contracting Parties promptly provide the CCAMLR Secretariat with a report on the outcomes of each inspection conducted under the conservation measure.

The measure requiring the use of an Automated Satellite-Linked Vessel Monitoring System on vessels fishing within the Convention Area was revised to require that both the hardware and software components of the VMS must be tamper proof, i.e., must not permit the input or output of false positions nor be capable of being manually overridden.

In addition, Contracting Parties may not issue licenses to fish in the Convention Area unless the VMS used on licensed vessels complies with every specification of the conservation measure.

The Commission adopted a resolution on Flags of Non-Compliance (FONC), urging all Contracting and non-Contracting Parties cooperating with the Commission to: (1) without prejudice to the primacy of the responsibility of the Flag State, to take measures or otherwise cooperate to ensure, to the greatest extent possible, that the nationals subject to their jurisdiction do not support or engage in IUU fishing, including engagement on board FONC vessels in the Convention Area is this is consistent with their national law; (2) ensure the full cooperation of their relevant national agencies and industries in implementing the measures adopted by CCAMLR: (3) develop ways to ensure that the export or transfer of fishing vessels from their State to FONC State is prohibited; and (4) prohibit the landings and transhipments of fish and fish products from FONC vessels.

The Scientific Committee provided the Commission with scientific advice on the following topics:

Finfish resources: During the 2001/02 season CCAMLR members had actively participated in eight fisheries in the convention area. Reported catches by October 18, 2002, included 12,817 tons of toothfish, 3,506 tons of icefish and 113 tons of crab; other species were taken as by-catch. In comparison, the total reported catch of toothfish was 13,725 tons in 2000/01.

Again this year, the Scientific Committee was very concerned with the substantial amount of IUU catches of Dissostichus spp. The estimates of total IUU catches during the 2001/02 season (10,898 tons) was slightly larger than the 8,802 tons taken illegally during the 2000/01 season. When the 25,054 tons of toothfish reported via the CDS as caught outside the Convention Area are added, the total global removal of toothfish in the 2001/02 season is estimated at 48,769 tons, compared to 56,445 tons during the 2000/01 season.

Krill fishery: The total reported catch of krill in 2001/02, as of October 18, 2002, was 118,705 tons compared to 93,572 tons in the 2000/01 season. The catch was taken by Japan, Poland, Republic of Korea, Ukraine, and the USA in subareas 48.1, 48.2, and 48.3. The Commission agreed that the current reporting requirement for the krill fishery of monthly catch data by FAO statistical area be maintained. In addition, the Commission agreed that catch and effort data aggregated over 10 x 10 nautical mile squares and by 10-day periods be reported for the entire fishing season no later than 1 April of the following year.

Crab and squid fisheries: In the 2001/02 season a single Japanese-flagged vessel undertook commercial pot fishing for crabs in subarea 48.3. The total catch was 113 tons. Fishing for squid resources in the convention area did not occur in the 2001/02 season and no notification had been made for the 2002/03 season.

The CCAMLR *Ecosystem Monitoring and Management* Program: The Commission noted the progress made in the development of a feedback management scheme for krill, and in particular the delineation of small-scale management units (SSMUs) and the continuing work on the subdivision of large CCAMLR statistical areas into ecologically-based harvesting units. The Commission endorsed the delineation of SSMUs in subareas 48.1, 48.2, and 48.3. The Commission agreed that these units be used as a basis by which to subdivide the precautionary catch limit for krill in area 48.

The Commission approved four management plans for *protected sites* containing marine areas that sought protection as Antarctic Specially Protected Areas (ASPAs) under the Antarctic Treaty.

IUU fishing in the Convention Area: The commission noted that in regard to IUU fishing, (1) catches attributed by CDS reports of catches from outside the Convention in FAO areas 51 and 57 were unlikely to have come from those areas and most likely to have come from within the Indian Ocean sector of the Convention Area, (2) IUU catches within the Indian Ocean sector of the Convention Area were most likely to be underestimated, (3) current levels of

IUU fishing reported from areas 51 and 57 would have seriously depleted whatever stocks might have been present in those areas, if they were present at all, (4) current levels of IUU fishing have depleted stocks in division 58.4.4 and in subareas 58.6 and 58.7 and the catch rates in division 58.5.1 have substantially declined, and (5) current levels of IUU fishing would substantially reduce populations of seabirds which have been taken as by-catch in longline fishing operations.

The Commission agreed that a *Joint Assessment Group* (JAG) comprising members of both SCIC and the Scientific Committee should be formed under the convenership of Spencer Garrett (US). The group will develop explicit terms of reference and a work plan for the intersessional period to prepare appropriate reports and data inputs for next year's meeting.

Incidental mortality during fishing operations: The assessment of incidental mortality arising from the fisheries was reviewed. In particular, the Commission noted that while the levels and rates of seabird by-catch in longline fisheries in the Convention Area in 2002 had been the lowest ever recorded and the level of compliance with the conservation measure on the mitigation of seabird bycatch had substantially improved in 2002, the estimates of potential seabird by-catch associated with IUU longline fisheries in the Convention Area in 2002 continue to be at levels unsustainable for the populations concerned. The Commission noted that the level of incidental mortality of seabirds in trawl fisheries for icefish in subarea 48.3 in 2002 was comparable to that last year and at a level three times that in regulated longline fisheries in subarea 48.3 this year.

New and exploratory fisheries: For the 2002/03 season, eight notifications of new or exploratory longline or trawl fisheries were notified to fish for Dissostichus spp. As was the case last year, a large number of notifications for subareas 48.6, 88.1, and 88.2 and division 58.4.4 had occurred. In fisheries with low precautionary catch limits, this implied that if all vessels operated simultaneously, the available catch per vessel could be lower than that required for economic viability. For example, in division 58.4.4, if all five notified vessels participate and achieve typical daily catch rates, the Commission agreed it would be administratively impossible for the secretariat to close the fishery before the catch limit has been taken.

The Scientific Committee provided management advice for two subareas where additional data were available (subareas 88.1 and 88.2). It could not provide new advice on precautionary catch limits in all other new or exploratory fisheries proposed in 2002/03.

Management under conditions of uncertainty about stock size and sustainable yield: The Commission noted further development of the unified framework for providing management advice on all fisheries in the Convention Area. As part of the regulatory framework, a number of fishery plans had been prepared by the Secretariat during the intersessional period. The Commission agreed that the fishery plans should include a summary statement of decision rules and requirements for ecosystem assessment. Documentation for the regulatory framework will include species profiles of the important commercial species. in 2002, draft profiles had been prepared for D. eleginoides, D. mawsoni, and C. gunnari, and these plans would be updated in the intersessional period.

D. Activities and Meetings

The CCAMLR Scientific Committee will hold the following intersessional meetings:

WG-FSA Subgroup on Assessment Methods

August 12 - 15, 2003
London, UK

WG-FSA
Fishery Acoustic Workshop
August 18 - 22, 2003
Cambridge, UK

WG-EMM (including a CEMP Review Workshop)
August 18 - 28, 2003
Cambridge, UK

WG-FSA including the Ad hoc WG-IMAF
October 13- 23,2003
Hobart, Tasmania, Australia

The next annual meeting of the Commission is October 27-November 7, 2003 in Hobart, Tasmania, Australia.

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Convention for the Conservation of Antarctic Seals (CCAS)

Basic Instrument

Convention for the Conservation of Antarctic Seals (29 UST 441, TIAS 8826)

Implementing Legislation

None.

Member Nations

Argentina, Australia, Belgium, Chile, France, the Federal Republic of Germany, Japan, Norway, Poland, South Africa, the Russian Federation, the United Kingdom, and the United States of America.

Commission Headquarters

The Convention did not establish a Commission. The United Kingdom serves as the Depositary Government.

Budget

None.

U.S. Representation

The United States is represented at Meetings of Contracting Parties to the Convention by a delegation, headed by the Department of State and including representatives of the National Marine Fisheries Service, the Marine Mammal Commission, and the environmental community.

Description

A. Mission/Purpose

The Convention for the Conservation of Antarctic Seals was signed in London on February 11, 1972. It entered into force on March 11, 1978, and calls for Contracting Parties to meet within 5 years of entry into force, and at least every 5 years thereafter, to review the operation of the Convention. The purpose of the Convention is to promote and achieve the objectives of protection, scientific study and rational use of Antarctic seals, and to maintain a satisfactory balance within the ecological system.

The Convention applies to the seas south of 60˚ South Latitude, in respect of which the Contracting Parties affirm the provisions of Article IV of the Antarctic Treaty.

B. Organizational Structure

There is no Commission. The Scientific Committee on Antarctic Research (SCAR) of the International Council of Scientific Unions, through its Group of Specialists on Seals, receives reports from and advises the Contracting Parties on the number of seals killed or captured, the status of stocks, and the need, if any, for conservation and management measures.

C. Programs

Because there had been no commercial sealing in the Antarctic after the Convention entered into force in 1978, an offer by the United Kingdom, as Depositary Government, to host a 1983 meeting of Parties, was declined. The first and, to date, only meeting of Parties, held in 1988, was occasioned by a 1986/87 Soviet commercial sealing expedition and research cruise.

The 1988 meeting limited its recommendations to amendments to the Annex to the Convention or to Contracting Parties and other institutional action independent of the terms of the Convention. The Meeting agreed that Contracting Parties should restrict the number of seals killed or captured by special permit. It also agreed to encourage cooperative planning among holders of special permits for scientific research and detailed the scientific information which should be reported. The meeting recommended that the Annex be amended to increase the period of notification by a Contracting Party to other Contracting Parties prior to leaving home port for a commercial sealing expedition from 30 to 60 days. The final report of the meeting noted, however, that Contracting Party countries are unlikely to engage in commercial sealing in the foreseeable future.

In 1992, the United Kingdom proposed, but the Parties did not feel it necessary, to hold a further meeting. In October 1993, the United Kingdom hosted an informal meeting of the Parties to review the operation of the Convention. The meeting was held in the margins of the twelfth meeting of the Commission for the Conservation of Antarctic Marine Living Resources. As a result, the Parties noted the need to: improve the submission and exchange of data; endorse scientific programs on seal research; provide SCAR with contact points of CCAS parties; and circulate copies of reports from the SCAR Group of Specialists to CCAS Parties. In response to an inquiry, the United Kingdom confirmed that the recommendations adopted by the 1988 Meeting of Parties entered into force on March 27, 1990.

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WESTERN HEMISPHERE

Inter-American Convention for the Protection and Conservation of Sea Turtles

Basic Instrument

Inter-American Convention for the Protection and Conservation of Sea Turtles

Member Nations

Brazil, Costa Rica, Ecuador, Honduras, Mexico, Netherlands, Peru, United States, and Venezuela.

Status

The Convention entered into force on May 2, 2001. The IAC's initial meeting of member countries--the First Conference of the Parties (IAC COP1)--took place in San José, Costa Rica on August 6–8, 2002. Delegates from all 11 signatory countries were present, along with 27 observers from 10 countries. The goal of COP1 was primarily to create procedural rules and bylaws.

The location of a headquarters for the new Convention has not yet been determined. The unofficial website for the organization is http://www.seaturtle.org/iac/.

Description

A. Mission/Purpose:

The Inter-American Convention for Sea Turtles is the first regional agreement with broad coverage for protecting sea turtles and their habitats in the Western Hemisphere. The stated purpose of the Convention is "to promote the protection, conservation and recovery of sea turtle populations and of the habitats on which they depend, based on the best available scientific evidence, taking into account the environmental, socioeconomic and cultural characteristics of the Parties." The measures in the Inter-American Convention promote sub-regional management plans and accords. The Convention also places great importance on environmental conservation and the reduction of bycatch by developing more selective fisheries gear and requires the use of Turtle Excluder Devices (TEDs).

B. Organizational Structure:

The Convention provides for the creation of an Executive Secretary, a Consultative Committee of Experts, and a Scientific Committee. The Consultative Committee would, among other things, review and analyze information relating to the protection and conservation of populations of sea turtles and their habitats; examine reports concerning the environmental, socio-economic and cultural impact on affected communities resulting from the measures set forth or adopted pursuant to the Convention; and evaluate the efficiency of the different measures proposed to reduce the capture and incidental mortality of sea turtles, as well as the efficiency of different kinds of TEDs. The Scientific Committee would examine and, as appropriate, conduct research on sea turtles covered by the Convention, including research on their biology and population dynamics. It would also evaluate the environmental impact on sea turtles and their habitats of activities such as fishing operations and the exploitation of marine resources, coastal development, dredging, pollution, clogging of estuaries and reef deterioration, among other things. Finally, it would analyze relevant research conducted by the Parties and formulate recommendations for the protection and conservation of sea turtles and their habitats.

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GREAT LAKES

Convention on Great Lakes Fisheries Between the United States and Canada (Basic Instrument for the Great Lakes Fishery Commission – GLFC)

Basic Instrument

Convention on Great Lakes Fisheries between the United States and Canada signed September 10, 1954; entered into force October 11, 1955. 6 UST 2836; TIAS 3326; 238 UNTS 97.

Implementing Legislation

Great Lakes Fisheries Act of 1956 (16 USC 932).

Member Nations

United States and Canada.

Commission Headquarters

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Budget

The U.S. Congress provided $12.9 million for the Great Lakes Fishery Commission in fiscal year (FY) 2002. The Commission recommends at least this level of funding for FY 2003. The Commission approved a budget of $16.1 million for FY 2001, of which the U.S. contribution was $12.6 million.

U.S. Representation

A. Appointment process:

The United States is represented by four Commissioners appointed by the President. Of the Commissioners, one is to be an official of the U.S. Government and three are individuals who reside in different Great Lakes States and who are knowledgeable regarding the fisheries of the Great Lakes; one of these three must be an official of a Great Lakes state. The term of office for Commissioners is 6 years, except for the Commissioner representing the U.S. Government, who is appointed "at pleasure." The President also appoints an Alternate Commissioner who performs the duties of a Commissioner in the absence of a Commissioner, or when a Commissioner vacancy occurs. The Alternate Commissioner is also appointed "at pleasure." There are no set guidelines for the nomination process. The U.S. Commissioners do not receive compensation.

B. U.S. Commissioners:

Federal Commissioner (vacant)

Bernard J. Hansen (Chair)
Alderman, 44th Ward
City of Chicago
(appointed September 16, 1994)

Joseph Day
Executive Director, Indian Affairs Council
State of Minnesota
(appointed November 21, 1997)

Dr. Roy A Stein
Director, Aquatic Ecology Lab
Ohio State University
(appointed September 1, 1998)

C. Advisory structure:

The Great Lakes Fishery Act of 1956 requires establishment of an advisory committee for each of the Great Lakes. Appointments are proposed by governors of each Great Lakes state, giving due consideration to the interests of state agencies with fisheries management jurisdiction, the commercial fishing industry, sports fishing, and the public at large. Advisors are appointed by the U.S. Section. An extensive advisory network has been developed by the Commission (see "GLFC and Its Stakeholders" below).

Description

A. Mission/Purpose:

The GLFC was established to provide research and recommendations to aid in the management of Great Lakes fisheries and to control and eradicate sea lamprey. Sea lamprey entered the Great Lakes from the Atlantic Ocean via canals constructed in the nineteenth century and quickly decimated important commercial and recreational fisheries. Specific responsibilities of the Commission are:

1) to formulate research programs to sustain maximum productivity of fish stocks in the Convention area that are of common concern to the United States and Canada, to coordinate research done pursuant to such programs, and, if necessary, to undertake such research itself;

2) to recommend appropriate measures to the Contracting Parties based on the findings of such research programs;

3) to formulate and implement a program for eradicating or minimizing sea lamprey populations in the Great Lakes basin; and

4) to publish the scientific findings obtained in the performance of its duties.

The Commission provides more specific statements of its approach to meeting these responsibilities in its Strategic Vision for the First Decade of the New Millennium. The Commission has defined specific milestones for healthy Great Lakes ecosystems, integrated sea lamprey management, and partnerships. Over the years, as new organizations and new ecological challenges have arisen, the state, provincial, tribal, and federal fisheries management agencies have signed the *A Joint Strategic Plan for the Management of Great Lakes Fisheries,* as their basis for cooperative science-based management of the fisheries resources in the Great Lakes. The Commission facilitates this cooperative process.

B. Organizational Structure:

The GLFC secretariat handles the day-to-day operations of the Commission. The Commission meets in plenary session annually, in early June. Commissioners convene an Interim Meeting in early December, and special meetings of the Commissioners take place as needed.

C. Programs:

Lamprey Control: The lamprey eradication and control mandate of the Commission consumes the bulk of the Commission's budget and is carried out by the Commission's "control agents" in the United States and Canada. The U.S. agent is the U.S. Fish and Wildlife Service (USFWS). The Department of Fisheries and Oceans provides this function for Canada. The Commission contracts for the application of chemical lampricide by USFWS employees to tributaries to reduce the number of sea lamprey in the lakes, assessment to direct the application of control efforts and to monitor their success, and a program of alternative control methods including sterile-male release and barrier construction. The U.S. Army Corps of Engineers is a partner in construction of sea lamprey barriers and traps. The Commission also carries out research to support its existing program and to develop new alternative methods. The Commission contracts portions of this research program to the U.S. Geological Survey, Biological Resources Division and to universities and other research institutions.

Re-registration: The chief lamprey control chemicals (TFM and Bayluscide/niclosamide) have undergone re-registration, required by the U.S. Environmental Protection Agency (EPA) under the 1990 amendments to the Federal Insecticide, Fungicide, and Rodenticide Act. This process ensures that the chemical does not have harmful environmental effects, and is a mandatory requirement of U.S. law. EPA has approved the registrations of both lampricides in the recently completed registration eligibility decisions (REDs). Both compounds were found to pose no unreasonable risks or adverse effects to humans or the environment when applied in accordance with the approved label. The EPA may require further studies of long-term effects of the compounds as a final phase of the re-registration process. These requirements are not expected to be defined until mid-2002. In Canada, Health Canada is undertaking a parallel process of pesticides called re-evaluation. The Commission is working to consolidate U.S. and Canadian registrations of its lampricides with the USFWS.

GLFC and Its Stakeholders: The Commission operates through a broad-based, grass roots committee structure, with a basin-wide series of local level committees which cooperate with state and federal officials in monitoring fish (and lamprey) populations in local waters. This information is passed to "lake committees," as prescribed in the *Joint Strategic Plan*, which present reports to the Commission during its annual meeting. The Board of Technical Experts (BOTE) draws from academic and industry experts in environmental issues, biology and pesticide use. Other experts serve on a fish health committee. The Commission's Committee of Advisors provides citizen and state agency input to the Commission's decision-making process.

Commission Issues

The Commission has recently mounted a major effort on the St. Mary's River, which produces more sea lampreys than all other Great Lakes areas combined. During FY 1999 the Commission completed the first full round of an integrated control strategy that is predicted to reduce sea lamprey populations in Lake Huron and northern Lake Michigan by at least 85 percent. Cost-effective sea lamprey control on the St. Mary's River was once thought to be impossible because of the size of the river and because of the widespread distribution of sea lamprey larvae. Nevertheless, state-of-the-art lamprey assessment and modeling technologies, combined with the development of new lampricide formulations, have provided the tools to accurately target concentrations of larval lampreys and to effect a significant level of control at the least possible cost. The control strategy integrates these targeted spot treatments with lampricides with an enhanced program of trapping and sterile-male release. Both of these latter

alternative methods will be continued to reduce the recruitment of young larval sea lamprey to the river. An

extensive assessment program is underway to monitor the effectiveness of the control strategy.

The GLFC is making progress towards reducing its dependency on lampricides, with a long-term milestone of a 50 percent reduction from 1990 levels targeted. Although the Commission already uses alternatives to lampricides to control lamprey, such as barrier dams and a program ~~to~~ that introduces sterile males into the lamprey population, they hope to improve and greatly expand these programs in the next few years. In a first step, a recent change to the Water Resources Development Act will allow the U.S. Army Corps of Engineers to work with the Commission to fund and build new barrier to block and trap spawning sea lamprey. The GLFC is also accelerating its research programs into new alternate controls to further reduce their dependence on chemical lampricides.

The GLFC Secretariat estimates that the Commission has reduced TFM use by 30 percent since 1991 through a combination of refinements in the application process, improved stream selection, and investments in alternative controls. Virtually no TFM is being used in the St. Mary's River project. The primary control there is granular Bayluscide, which does not affect the entire water column and can be applied to discrete areas with remarkable precision.

After years of level funding, the United States increased its annual contribution in FY 2000 to continue the St. Mary's River project, and increased the funding in FY 2001 and 2002 to restore sea lamprey control and to accelerate the development and deployment of alternative control techniques. The Commission has submitted a budget request for 2003 that includes additional funds for sea lamprey control and alternative control research. Canada is currently reviewing its level of contribution. A recent report by the Auditor General recommends that "Fisheries and Oceans should establish stable funding to support the Great Lakes Fishery Commission."

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GLOBAL

Convention on Biological Diversity (CBD)

Basic Instrument

The Convention was opened for signature at the United Nations Convention on Environment and Development in Rio de Janeiro, June 1992; signed by President Clinton on June 4, 1993, and transmitted it to the Senate for advice and consent, along with an interpretive statement to clarify how the United States understands certain provisions that have caused concern. The treaty entered into force on December 29, 1993.

Implementing Legislation

The CBD is awaiting Senate ratification. No implementing legislation to carry out the terms of the treaty was sent to the Congress, because current law was considered sufficient to meet the U.S. obligations.

Member Nations

As of January 2001, 179 nations and the European Community had ratified or acceded to the CBD. The United States has signed but not yet ratified the Convention. The Cartagena Protocol on Basified has been signed by 85 nations and ratified by 2.

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Canada
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Fax: (1) 514-288-6588
Web address: http://www.biodiv.org

Executive Secretary: Mr. Hamdallah Zedan

Budget

The Conference of the Parties at its Fifth Meeting (COP-5) in May 2000, approved a budget of US$8,594,000 for the year 2001 and of US$10,049,900 for the year 2002. The United States is not yet a Party and therefore currently is not obligated to contribute directly to the Convention Budget, it has however made voluntary contributions.

In addition to the CBD budget, the implementation of the Convention in developing countries is funded through a Financial Mechanism. The Global Environment Facility (GEF) is the institution designated by the Conference of the Parties to operate the Financial Mechanism on an interim basis. The United States pledged US$430 million to the current replenishment of the GEF (1999-2002). For more details on the GEF see description below.

U.S. Representation

The Department of State is the lead U.S. agency to the CBD negotiations. The Department of Commerce (including NOAA), Department of the Interior, Department of Agriculture, Environmental Protection Agency, U.S. Agency for

International Development, and a number of other Agencies participate actively in the interagency process and on

delegations to CBD negotiations.

The National Marine Fisheries Service has been designated the lead NOAA Line Office on marine and coastal CBD issues, working in close consultation with the NOAA International Liaison Staff and other NOAA agencies.

Description

A. Mission/Purpose:

The objectives of the Convention on Biological Diversity (CBD) are:

(1) the conservation of biological diversity,
(2) the sustainable use of its components, and
(3) the fair and equitable sharing of the benefits arising out of the utilization of genetic resources.

B. Organizational Structure:

The Convention on Biological Diversity (CBD) is governed by a Conference of the Parties (COP) made up of all the Parties to the Convention. During the first three years (1994-1996) the COP met annually. COP-IV met in May 1998, in Bratislava, Slovakia, and COP-5 is scheduled for June 2000 in Nairobi, Kenya. At the COP, countries report on steps taken under the Convention and consider measures for strengthening the treaty.

In addition to the COP, a Subsidiary Body on Scientific, Technical, and Technological Advice (SBSTTA) has been set up to provide advice to the COP. The SBSTTA is also composed of representatives of governments that are Parties and has its own Bureau. SBSTTA generally meets annually. The next SBSTTA meeting is scheduled for June 1999 in Montreal, Canada.

The CBD is far reaching and the COP has the capacity to set up standing or *ad hoc* committee to deal with specific issues. The CBD can also serve as a framework for binding protocols. The first such protocol, on basified, is scheduled to be completed in February 1999.

A Secretariat, located in Montreal, Canada, provides administrative support to the Convention under the auspices of the United Nations Environment Program. The Secretariat also manages an electronic clearing-house mechanism to promote and facilitate technical and scientific cooperation (http://www.biodiv.org/).

The Conference of the Parties to the CBD adopted a supplementary agreement to the Convention known as the Cartagena Protocol on Basified on 29 January 2000. The Protocol seeks to protect biological diversity from the potential risks posed by living modified organisms resulting from modern biotechnology. It establishes an advanced informed agreement (AIA) procedure for ensuring that countries are provided with the information necessary to make informed decisions before agreeing to the import of such organisms into their territory. The Protocol also establishes a Basified Clearing-House to facilitate the exchange of information on living modified organisms and to assist countries in the implementation of the Protocol.

C. Programs:

General Provisions of the Treaty: The Convention on Biological Diversity affirms that conservation of biodiversity is a common concern of humankind and reaffirms that nations have sovereign rights over their own biological resources. Implementation depends principally on action by Parties at the national level. In this respect, the Convention provides general guidance on best practices, but does not currently include any sanctions for countries that do not adhere to these practices. The Convention covers *both* terrestrial and marine biota, and Parties are explicitly required to implement the CBD consistent with the rights and obligations of States under the law of the

sea.

The major commitments made by Parties to the Convention encompass nearly all aspects of NMFS work and responsibilities. These commitments include:

- To develop national strategies, plans, etc., for conservation and sustainable use of biodiversity; and to integrate, as far as possible and appropriate, the conservation and sustainable use of biological diversity into relevant sectoral or cross-sectoral plans (Art. 6).

- To identify and monitor the components of biodiversity and activities which have or might have significant adverse impacts (Art. 7).

- To establish protected areas or areas where special measures are needed and to regulate or manage biological resources important to biodiversity; to promote protection of ecosystems and natural habitats; and to promote environmentally sound and sustainable development in areas adjacent to protected areas; to prevent introduction of species from outside a country that could threaten native ecosystems or species; to develop or maintain necessary legislation and other regulatory provisions for protection of threatened species and populations; and to establish means to regulate, manage or control risks associated with use and release of living modified organisms from biotechnology with likely adverse environmental effects (Art. 8).

- To adopt measures for the *ex-situ* conservation of components of biological diversity (Art. 9).

- To integrate consideration of the conservation and sustainable use of biodiversity resources into national decision-making; adopt measures relating to the use of biological resources to avoid or minimize adverse impacts on biological diversity; to preserve and maintain knowledge and practices of indigenous and local communities embodying traditional lifestyles that are compatible with conservation or sustainable use requirements; support remedial action in degraded areas; and encourage cooperation between the government and private sector to develop methods for sustainable use (Art. 10).

- To adopt economically and socially sound measures that act as incentives for the conservation and sustainable use of components of biological diversity (Art. 11)

- To establish programs for scientific and technical education and training in identification, conservation, sustainable use of biodiversity and promote research that contributes to biodiversity (Art. 12).

- To promote programs for public education and awareness (Art. 13).

- To require environmental impact assessments that address impacts on biodiversity and to minimize such impacts. (Art. 14).

- To create conditions to facilitate access to genetic resources on mutually agreed terms, recognizing sovereign rights of States over their natural resources; and to share in a fair and equitable way the results of research, development, and the commercial utilization of genetic resources with contracting Parties providing such resources (Art. 15).

- To encourage access to, and transfer of, technology relevant to the conservation and sustainable use of biological diversity or that makes use of genetic resources and does not cause significant damage to the environment (Art. 16).
- To facilitate the exchange of information and scientific and technical cooperation in the field of the conservation and sustainable use of biological diversity (Art. 17&18).

- To encourage biotechnology research, especially in developing countries; ensure the fair and equitable sharing of benefits from biotechnology; and address safety concerns related to the transfer, handling and use of living modified organisms (Art. 19).

In addition to these general provisions, developed country Parties are required to provide "new and additional financial resources" to assist developing country parties meet the incremental costs of implementing measures that fulfill the obligations of the CBD. These resources are provided through the GEF (Art. 20 & 21).

Marine and Coastal Biodiversity: The 2nd Conference of the Parties in November 1995 adopted the *"Jakarta Mandate on Marine and Coastal Biodiversity"* adopted at COP-2 in November 1995. The *Jakarta Mandate* identified five priority areas for action:

(1) Promoting integrated marine and coastal area management as the framework for addressing human impacts on biological diversity.

(2) Establishing and maintaining marine and coastal protected areas.

(3) Using fisheries and other marine and coastal living resources sustainably. This was the most controversial recommendation, including issues of overcapacity, subsidies and bycatch.

(4) Ensuring that mariculture practices are environmentally sustainable.

(5) Preventing the introduction of, and controlling or eradicating, alien species that threaten ecosystems, habitats or species.

COP-4 developed the outline of a three year program of work to implement the *Jakarta Mandate*. COP-5 agreed to add Coral Bleaching and Physical Degradation and Destruction of Coral Reefs to the program of work.

Recent Activities - especially marine-related:

COP-5: The Fifth Conference of the Parties (COP-5) of the CBD met in Nairobi, Kenya, May 15-26, 2000. This meeting included several items of importance to NOAA, including: 1) a report on progress in the three-year program of work for marine and coastal biodiversity; 2) approval of the terms of reference for technical expert groups on marine protected areas and aquaculture; 3) approval of a resolution on climate change and coral bleaching; and 4) approval of interim guiding principles to address the problem of invasive alien species. The resolution on coral bleaching arose from an expert consultation last October that NOAA helped to organize. The action on alien invasive species was perhaps the most significant outcome, setting the stage for a decision at COP-6 on whether to proceed toward a binding protocol.

Expert's Consultation on Coral Bleaching: The U.S. helped fund this meeting that was held in the Philippines in October 1999 to review the impact of the 1997/98 global coral bleaching event. Based on this meeting, SBSTTA developed work programs on coral bleaching and more generally on coral reef conservation. These work programs will be presented for approval at COP-6 in 2002.

Ad hoc Technical Expert's Group on Marine and Coastal Protected Areas: The first of two meetings of the *Ad hoc* Technical Expert's Group on Marine and Coastal Protected Areas (MCPAs) was held at Leigh, New Zealand, October 22 to 26, 2001. The Technical Expert Group was established to assist the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) in its work on the topic of marine and coastal protected areas. The results of the expert group process will be reported on at the eighth meeting of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) and the seventh meeting of the Conference of the Parties, where protected areas will be one of the three main topics. The expert group will meet again in May 2002 (tentative). It

will organize its discussion in five key themes: global goals; ecological aspects; design and implementation of MCPAs and networks;, social, cultural and economic benefits; and funding and public awareness. NOAA and New Zealand are co-funding the meetings of the Expert Group.

Biosafety Protocol: On January 29, 2000, ministers and senior officials from over governments finalized a legally binding agreement for protecting the environment from risks posed by the transboundary transport of living modified organisms (LMOs) created by modern biotechnology. Under the Cartagena Protocol on Basified, governments will signal whether or not they are willing to accept imports of agricultural commodities that include LMOs by communicating their decision via an internet-based Basified Clearing House. In addition, shipments of these commodities that may contain LMOs are to be clearly labeled. Stricter Advanced Informed Agreement procedures will apply to seeds, live fish, and other LMOs that are to be intentionally introduced into the environment. In these cases, the exporter must provide detailed information to each importing country in advance of the first shipment, and the importer must then authorize the shipment. The aim is to ensure that recipient countries have both the opportunity and the capacity to assess risks involving the products of modern biotechnology. The United States, while not a Party to the CBD, nevertheless supported the final outcome of the Protocol. The first meeting of the Inter-governmental Committee for the Cartagena Protocol (ICCP-1) took place in Montpellier, France in December, 2000. The second Meeting of the Inter-governmental Committee for the Cartagena Protocol (ICCP-2)took place in October 2001 in Montreal Canada.

COP-6: The Sixth Conference of the Parties (COP-6) was held in The Hague, Netherlands, on April 7-19, 2002. Ministers charted a course for global action on biological diversity through the end of the decade. In addition to a strategic plan, the 2-week meeting on the CBD adopted detailed guidelines on access to genetic resources and benefit-sharing, an international work programme on forests, and guiding principles on combating alien invasive species.

The Guidelines on genetic resources promise to improve the way foreign companies, collectors, researchers and other users gain access to valuable genetic resources in return for sharing the benefits with the countries of origin and with local and indigenous communities. They advise governments on how to set fair and practical conditions for users seeking genetic resources (such as plants that can be used to produce new pharmaceuticals or fragrances). In return, these users must offer benefits such as profits, royalties, scientific collaboration, or training. The guidelines were developed in response to growing concerns in many developing countries that the commercial and scientific gains realized from their genetic resources were being reaped only by bio-prospectors based in foreign countries.

The meeting also adopted 15 Guiding Principles on how to develop effective strategies to minimize the spread and impact of invasive alien species. The first guiding principle invokes the precautionary approach, whereby the lack of full scientific certainty does not justify inaction in the face of a potentially serious or irreversible threat. Other principles advocate and describe the 3-step hierarchy of 1) prevention (least expensive and most effective), 2) eradication, and 3) containment. Specific measures are recommended, including border controls, quarantine measures, information exchange, and capacity building. In addition, recipient governments should have the opportunity to provide prior authorization before the first-time intentional introduction of a potentially invasive species.

The meeting also adopted an international work programme on forests. The programme sets out 12 goals each with a range of objectives and activities, with priorities to be set at the national level. Goals range from promoting the sustainable use of forest biodiversity and improving the understanding of ecosystem functioning and the role of biodiversity to enhancing the institutional enabling environment and addressing socio-economic distortions. COP-6 was attended by some 120 ministers and vice ministers and a total of almost 2,000 governmental and non-governmental officials from 166 countries. The next meeting of the COP will take place in Kuala Lumpur, Malaysia, in the first quarter of 2004.

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Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

Basis Instrument

Convention on International Trade in Endangered Species of Wild Fauna and Flora (27 UST 1087, TIAS 8249)

Implementing Legislation

Endangered Species Act (16 USC 1531-43)

Member Nations

There are currently 162 Parties: Afghanistan, Algeria, Antigua and Barbuda, Argentina, Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalem , Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Central African Republic, Chad, Chile, China, People's Republic of, Colombia, Comoros, Congo, Congo, Democratic Republic of, Costa Rica, Cote d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Korea, Kuwait, Republic of, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, former Yugoslav Republic of Macedonia, Madagascar, Malawi, Malaysia, Mali, Malta, Mauritania, Mauritius, Mexico, Moldova, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Russian Federation, Rwandese Republic, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Tanzania, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom, United States, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe

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Budget

The average annual budget for the triennieum 2003-2005 approved by the 12th meeting of the Conference of the Parties was USD 4,993,000. The U.S. contribution averages USD 1.1 million.

U.S. Representation

The Endangered Species Act designates the Fish and Wildlife Service of the Department of Interior, with the assistance of the Department of State, to implement the Convention. FWS is also responsible for inspections of shipments of wildlife through designated ports of entry. The bulk of CITES-listed species are under the management jurisdiction of FWS. However, many species are managed by NMFS, including all the great whales, all the dolphins, all the marine turtles, six seal species, queen conch and all hard coral species listed either on Appendix I or II. All sturgeon species are listed in Appendix II.

The National Marine Fisheries Service draws on the expertise of its regional offices and science centers in order to participate fully in the inter-agency collaboration necessary to implement CITES in both scientific and management concerns.

The Animal and Plant Health Inspection Service of the Department of Agriculture inspects imports of plant species listed on the treaty.

Description

A. Mission/Purpose:

Provides for international co-operation for the protection of certain species of wild fauna and flora against over-exploitation through international trade.

B. Organizational Structure:

The CITES framework includes a Standing Committee meetings annually to conduct the administrative matters of the Convention and to recommend policy actions to the Parties. In addition, there are separate committees on Animals and Plants, which meet annually to review scientific matters, including management questions, and make recommendations to the Standing Committee.

All the committees meet approximately once a year on their own schedules. Meetings of the Conference of the Parties (COPs) are convened approximately every two years.

C. Programs:

Under CITES, species are listed in Appendices according to their conservation status. In addition, listed species must meet the test that trade is at least in part contributing to their decline. Appendix I species, for which there is no international trade permitted, are "threatened with extinction." Appendix II species are "not necessarily threatened with extinction, "but may become so unless trade is strictly regulated. This regulation usually takes the form of a requirement for documentation from the country of export, monitoring of imports and, in some cases, export quotas. Imports from countries which are not CITES members still require what is called "CITES-equivalent documentation." Appendix III includes all species which any Party identifies as being subject to regulation within its jurisdiction for the purpose of preventing or restricting exploitation, and as needing the co-operation of other Parties in the control of trade.

In order to determine whether such limitation is necessary, the Animals and Plants Committees of CITES undertake reviews of Appendix II species for which there are significant amounts of international trade, from which recommendations for conservation of the species are made in order that they might avoid being listed in Appendix I.

Of special interest to NOAA Fisheries are significant trade studies for queen conch and hard corals, discussion of the implementation of CITES Appendix II for commercially-exploited marine fish species, cooperative efforts with the International Whaling Commission to control illegal trade in whales, and recent efforts by the Government of Cuba to re-open international trade in hawksbill turtle shells.

Recent Activities

At the most recent CITES meeting (COP12, 3-15 November 2002, Santiago, Chile), the following decisions concerning marine species were taken:

- defeat of two proposals of Japan to re-open trade in minke and Bryde's whales;
- passage of a joint US-Japan resolution calling for a Memorandum of Understanding between CITES and the United Nations Food and Agriculture Organization (FAO), to review implementation of Appendix II listings for marine fish species and to provide for general coordination between the two bodies;
- passage of a joint Chile-Australia resolution establishing a mechanism for cooperation between the Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR) and CITES (the US assisted the development of this compromise);
- passage of a resolution of Ecuador and Australia directing the Animals Committee to review progress of Member Countries and FAO towards implementation of its International Plan of Action for Sharks ;
- passage of a US proposal for listing of seahorses in Appendix II;
- passage of a US proposal for establishment of a working group within the CITES Animals Committee to consider the biological and trade status of sea cucumbers;
- passage of a proposal of India, Philippines and Madagascar for listing of whale sharks in Appendix II;
- passage of a proposal of the United Kingdom, on behalf of the European Union, to list basking sharks in Appendix II;
- passage of a proposal of the Republic of Georgia to list bottlenose dolphins from the Black Sea in Appendix II with a zero quota, thus providing stricter regulation of trade;
- defeat of a proposal of the UK, on behalf of the Cayman Islands, to allow trade in green turtle shells from the Cayman Turtle Farm; and
- passage of a resolution calling for further review of the CITES criteria, including reviews of selected taxa and how the criteria apply to them.

Note: Decisions of substance need a 2/3 majority for passage.

A proposal of Cuba to downlist the "Cuban" population of hawksbill sea turtles was proposed, but withdrawn before the meeting.

We anticipate that followup will be necessary to implement many of these accomplishments. In addition, efforts to improve implementation for species, such as queen conch and corals, which have been listed in Appendix II for some time will be of top priority to NOAA-Fisheries.

The next Conference of the Parties (COP13) will be convened in 2005 in Thailand.

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International Whaling Commission (IWC)

Basic Instrument

International Convention for the Regulation of Whaling, 1946, (TIAS 1849); Protocol amending 1956 (TIAS 4228).

Implementing Legislation

Whaling Convention Act of 1949 (64 Stat. 421, 16 U.S.C. 916-9161).

Member Nations

Ther are currently 49 member nations: Antigua and Barbuda, Argentina, Australia, Austria, Benin, Brazil, Chile, China, Costa Rica, Denmark, Dominica, Finland, France, Gabon, Germany, Grenada, Guinea, Iceland, India, Ireland, Italy, Japan, Kenya, Republic of Korea, Mexico, Monaco, Mongolia, Morocco, Netherlands, New Zealand, Norway, Oman, Palau, Panama, Peru, Portugal, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Senegal, Solomon Islands, South Africa, Spain, Sweden, Switzerland, United Kingdom, and the United States.

Commission Headquarters

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Web address: http://www.iwcoffice.org/

Budget

The Commission approved a budget of approximately US$1,983,794 for 2002-2003. The United States contribution amounts to approximately US$121,835 for 2002-2003.

U.S. Representation

A. Appointment Process:

The Commissioner is appointed by the President, on the concurrent recommendations of the Secretary of State and the Secretary of Commerce, and serves at his pleasure. The President may also appoint a Deputy U.S. Commissioner.

B. U.S. Commissioner:

Rolland A. Schmitten
Director, Office of Habitat Conservation
National Marine Fisheries Service
National Oceanic and Atmospheric Administration
Department of Commerce
Silver Spring, MD 20910

Deputy Commissioner:

Dr. Michael F. Tillman
Director, Southwest Fisheries Science Center
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La Jolla, CA 92038-0271

C. Advisory Structure:

U.S. representation in the IWC has no formal (legislated) advisory structure. The IWC Commissioner does consult, however, with the "IWC Interagency Committee," which includes representatives of the Department of State, the Marine Mammal Commission, other Federal agencies, conservation organizations, Native organizations, and other interested parties.

Description

A. Mission/Purpose:

The 1946 Convention has as its objective the proper conservation of world whale stocks, thus making possible the orderly development of the whaling industry. The Convention established the IWC to provide for a continuing review of the condition of whale stocks and for such additions to or modifications of the agreed conservation measures as might appear desirable.

B. Organizational Structure:

The IWC consists of the Commission, Secretariat, and subject area committees. The Commission is composed of one member from each Contracting Government, may be accompanied by one or more experts and advisors. Each member government has one vote. Decisions of the Commission are by simple majority of those members voting, except that a three-fourths majority of those members is required for actions to amend the provisions of the Schedule (which contains the binding decisions of the Commission). The Commission can determine its own rules of procedure and may appoint its own Secretary and staff. The Committees may be set up by the Commission from its own members and experts or advisors to perform such functions as it may authorize. At the 2000 IWC annual meeting, the Commissioner from Sweden, Bo Fernholm, was elected to Chair the IWC for the next three years, and Denmark's Commissioner, Henrik Fischer, was elected to serve as the Vice-Chair.

C. Programs:

The IWC normally meets once a year to review the condition of whale stocks and to modify conservation measures as appropriate. The Commission has used various means of regulating commercial whaling including the fixing of open and closed seasons, open and closed areas, protected species, size limits for each species, and limits on the catch of whales in any one season. The IWC recognizes two distinct types of whaling: commercial whaling and aboriginal subsistence whaling.

Past actions by the IWC include establishment of a whale sanctuary in the Indian Ocean area and in the Southern Ocean (in most of the waters south of 40° S. latitude), prohibition on the use of cold grenade (non-exploding) harpoons to kill whales for commercial purposes, a moratorium on all commercial whaling from the beginning of the 1985-86 pelagic and 1986 coastal seasons, and the adoption of a separate and distinct management scheme for aboriginal subsistence whaling. Criteria for evaluating research involving the killing of whales under special permits

were established because of concerns that some countries would use special permits for scientific research as a means of circumventing the zero catch limits for commercial whaling. The 1946 Convention allows countries to issue special permits authorizing the taking of whales for scientific research.

The 54th Annual IWC meeting was held in Shimonoseki, Japan from May 20-24, 2002. The meeting was again marked by controversy surrounding the attempt of Iceland to re-join the IWC with a reservation to the commercial whaling moratorium. The United States opposed allowing Iceland to rejoin with a reservation to the Schedule, and Iceland was again denied membership. Following debate on Iceland, the meeting was consumed with aboriginal subsistence whaling quotas. In the end, all aboriginal quotas were passed, with the exception of the bowhead whale quota for Alaskan and Russian Natives. The gray whale aboriginal subsistence quota for Russian Chukotkan Natives and the Makah Indian Tribe of Washington state passed by consensus. Also at the 54th annual meeting, Japan's proposal for a quota for small-type coastal whaling was rejected, competing versions of a Revised Management Scheme were put to a vote with both failing, proposals to establish whale sanctuaries in the South Pacific and South Atlantic oceans were defeated, and an interim measure to calculate financial contributions was adopted. The 55th annual meeting will be held in June in Berlin, Germany.

The 5th Special Meeting of the IWC was held in Cambridge, UK on October 14, 2002 at the request of the United States and the Russian Federation to reconsider the establishment of an aboriginal subsistence quota for bowhead whales. Iceland again attempted to gain membership with a reservation to the moratorium, and after a series of procedural votes, the Commission accepted by a vote of 19-18 that Iceland was a member. The proposal to establish a bowhead whale aboriginal subsistence quota was adopted by consensus, and a resolution from Japan on small-type coastal whaling was defeated.

The IWC continues to maintain the moratorium on commercial whaling. However, Norway lodged a timely objection to the 1982 moratorium decision, and therefore is not bound by that decision. Thus, it continues to authorize takes of minke whales from the northeast Atlantic. In 2002, Norway commenced with the first international trade of whale products in over a decade by shipping whale meat and blubber to Iceland.

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PART II. BILATERAL CONSULTATIVE ARRANGEMENTS

NORTH AMERICA

Informal Fisheries Consultations Between the Government of the United States of America and the Government of Canada

Basic Instrument

None

Authorities

Magnuson Fishery Conservation and Management Act, 16 U.S.C. 1822(a), which authorizes the Secretary of State to negotiate international fisheries agreements, and 16 U.S.C. 1855(d), which authorizes the Secretary of Commerce to promulgate regulations necessary to carry out the Magnuson Act.

Member Nations

United States and Canada.

Meetings

Parties meet annually, alternating meetings between the United States and Canada. This meeting generally takes place in August.

Description

The Parties have agreed that informal consulations on bilateral, multilateral and global fisheries conservation and management issues are of benefit to both Parties. These consultations are designed to provide broad coordination on issues of concern as opposed to negotiation of final agreements. Discussions on bilateral issues generally focus on improving communication and coordination with regard to conservation and management of shared stocks (such as Pacific albacore, Pacific hake, and species of mutual concern in the Gulf of Maine). In many cases, separate negotiations will be underway on these species, and this meeting allows officials on both sides to discuss avenues for future progress.

The Northwest Atlantic Fisheries Organization (NAFO) takes up a large portion of the agenda for the consultations. As NAFO Contracting Parties, the United States and Canada share many of the same concerns and goals for this Organization. A great deal of time is spent during the consultations on strategies for improving conservation and management in NAFO. Discussions in this regard focus primarily on progress made during the intersessional period and goals for the NAFO annual meeting, which occurs in September. Other multilateral organizations of interest to the United States and Canada (such as the Western and Central Pacific Fisheries Commission (WCPFC), and the APEC Fisheries Working Group) are also discussed.

Global fisheries issues of interest to the United States and Canada include various international fisheries management agreements and initiatives (such as the FAO International Plans of Action for Seabirds, Sharks, Capacity and IUU Fishing and the UN Fish Stocks Agreement). The consultations are used to trade information on the status of implementation of these instruments, as well as to discuss ways to encourage their implementation by other countries. In addition, Parties discuss species of mutual concern at the global level, such as sea turtles.

Recent Activities

The most recent Informal Fisheries Consultations Between the United States and Canada were on August 16, 2002, in Silver Spring, Maryland. The two sides reviewed: NAFO issues; bilateral fisheries issues (albacore, lobster, and access issues); recent developments in the WCPFC; species of concern (shark, seabirds, sea turtles, and toothfish); FAO issues; APEC Fisheries Working Group activities; and the World Summit on Sustainable Development.

Upcoming Meeting:

Parties will consult to determine the date for the next informal consultations. The meeting will likely take place in Ottawa, Canada, during August 2003.

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Agreement Between the Government of the United States of America and the Government of Canada on Fisheries Enforcement

Basic Instrument

Agreement between the Government of the United States of America and the Government of Canada on Fisheries Enforcement of September 26, 1990 (House Document 102-22, 102d Congress, 1st Session).

Authorities

Magnuson Fishery Conservation and Management Act, 16 U.S.C. 1822(a), which authorizes the Secretary of State to negotiate international fisheries agreements, and 16 U.S.C. 1855(d), which authorizes the Secretary of Commerce to promulgate regulations necessary to carry out the Magnuson Act.

Member Nations

United States and Canada.

Meetings

Parties meet annually, alternating meetings between the United States and Canada.

Description

The Parties have agreed to take appropriate measures consistent with international law to ensure that their nationals, residents and vessels do not violate, within the waters and zones of the other Party, the national fisheries laws and regulations of the other Party. Such measures shall include prohibitions on violating the fisheries laws and regulations of the other Party respecting gear stowage, fishing without authorization, and interfering with, resisting, or obstructing in any manner, efforts to enforce such laws and regulations; and may include such other prohibitions as each Party deems appropriate.

Bilateral enforcement meetings are held to review past practices and discuss new standards, policies, and strategies for enforcement cooperation. Communications, prosecution practices, evidentiary requirements, regulation interpretation, notification procedures, and hot pursuit comprise the core of discussions.

Recent Activities

10th Annual Meeting: Representatives from Canada and the United States met on June 24-25, 2002, in New London, Connecticut to discuss issues regarding the Agreement. The two sides reviewed law enforcement actions taken since the previous meeting on May 30-31, 2001, discussed new developments in law enforcement, and explored areas for future cooperation. Delegations provided overviews of cooperative and enforcement actions by region including the Pacific, the Atlantic coast and the Great Lakes.

West Coast: There were no incidents in 2002 that required the exchange of evidence under the agreement. Delegates agreed that this year's cooperation between the United States and Canada has been excellent with regard to Boundary Bay crab, groundfish, west coast yellow fin tuna and other highly migratory species. Delegates also agreed that the Albacore Tuna Treaty continues to be an issue, along with vessel monitoring systems (VMS). Interest was expressed in incorporating VMS into the Albacore Treaty. The U.S. delegation expressed interest in Canada's success in marketing VMS to their fishing industry.

The U.S. side described the excellent cooperation in a case involving Russian crab smuggling. Also, the participants working with the Albacore Treaty were pleased with the level of cooperation and mutual agreements that came out of that meeting.

Atlantic Coast: The Canadian delegation reported that no files have been exchanged during the period between meetings. A high degree of enforcement success has been achieved on the Canada/U.S. boundary from the combined efforts of the DFO, USCG, NMFS, and the respective Justice Departments. The U.S. Closed Area II and Sea Scallop Exemption Area have been beneficial in the Canadian enforcement scheme. New technology has allowed for better tracking and monitoring of fishing vessels.

Allan Maclean, Regional Director, Conservation and Protection Directorate, Maritimes Region, DFO provided a report on the *PENNY LANE II*. The vessel's catch was seized, totaling 33,902 pounds of snow crab valued at $33,260. To date, three charges have been entered in the courts against the two persons on board. All parties agreed that the cooperation on this case was outstanding.

LCDR Hitchen, Assistant Chief of the First Coast Guard District Office of Law Enforcement, reported outstanding cooperation with the DFO on the Japanese longliners case along the EEZ. He reported that after a slight decrease in boundary overflights after September 11, 2001, District One patrols are now back to pre 9-11 levels.

Great Lakes: Bill Laferty, Enforcement Supervisor, Ontario MNR, provided an overview of Great Lakes Operations. The Ontario MNR is anxious to have Lake Huron and Lake Superior added to the Lake Erie Enforcement MOU. Delegates agreed that a recommendation to this effect from the Great Lakes Fisheries Commission would further this cause. Both sides agreed that the renewal date for the MOU falls in the height of the fishing season and should be extended to December 31 so that in future the MOU will expire at the end of the calendar year. The issue of whether or not to extend the agreement to cover carriage of firearms was discussed. It was agreed that this issue will not be addressed at this time but could be revisited after the renewal of this year's MOU.

Other Issues: Both parties discussed the effect that September 11 had on fisheries enforcement operations. The Canadian Coast Guard has been playing a major role in maritime security and has received increased funding toward that mission. The U.S. delegation shared the concept of the Integrated Border Enforcement Teams (IBET). LT Ed Songer reported success with Canadian Law Enforcement counterparts, and brought up the question of applying this concept to Kingfisher joint operations. CDR Davis gave a presentation on the Coast Guard's "New Normalcy."

Mr. Steele gave a presentation regarding Canada's involvement with the Northwest Atlantic Fisheries Organization (NAFO). The presentation described the compliance problems being experienced in fisheries managed by NAFO, and the efforts being made by Canada to deal with these issues. The delegation discussed issues surrounding VMS, including policy on uses of data, technological advances, improved capabilities, and cost. Charles Juliand, Senior Enforcement Attorney for the Northeast Region of NMFS, summarized the case of the fishing vessel INDEPENDENCE and outlined the benefit of the VMS system as a prosecution tool. He stated that there are currently six cases pending that are dependent on VMS evidence. Both sides of the delegation agreed to have a separate meeting to discuss Vessel Monitoring Systems.

Both parties discussed the issues surrounding Patagonian toothfish. The main issue discussed was whether U.S. policy changes will have negative effects on Canada. Both parties agreed that putting more pressure on Patagonian toothfish imports in the U.S. may force those imports into Canada.

The U.S. delegation discussed the Monitoring, Control and Surveillance Network. Both parties agreed that this is a beneficial tool for international information and data exchange.

Ways to improve effectiveness of operations were discussed. Delegates agreed that a separate meeting to further discuss VMS would be beneficial. The extension of the Lake Erie Enforcement MOU was also suggested as a way to improve efficiency of cooperation in the Great Lakes. The issue of requesting approval for weapons carriage by United States enforcement officials in Canadian waters remains to be resolved.

Delegates agreed that the next annual meeting should take place at a similar time next spring. The Canadian Department of Fisheries and Oceans agreed to host the next annual meeting at a time and place to be determined.

The heads of delegation concluded the meeting by expressing agreement on the importance of continuing to work closely together to coordinate and ensure the effective delivery of fishery law enforcement programs along the international boundaries. Heads of delegations also expressed the need to continue sharing information that will improve the effectiveness of enforcement programs.

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CENTRAL AMERICA

United States-Mexico Fisheries Cooperation Program

Basic Instrument

There is no formal instrument establishing the United States-Mexico Fisheries Cooperation Program. The U.S. National Marine Fisheries Service (NOAA Fisheries) and the predecessor agency to the Mexican Secretaría de Mexico Ambiente, Recursos Naturales, y Pesca (SEMARNAP) informally agreed in 1983 to meet annually to review the broad range of issues involved in the bilateral fisheries relationship. Additional discussions are held as a small part of the annual Bi-National Commission (BNC) meeting held to review the overall United States-Mexican bilateral relationship. There are three memoranda of understanding (MOU) since agreed to by NOAA Fisheries and SEMARNAP to formalize different aspects of the fisheries relationship: (1) MEXUS-Gulf research program, (2) MEXUS-Pacífico research program, and (3) information exchange. The research MOUs have proven highly effective, but NOAA Fisheries has been unable to arrange continuing reciprocal exchanges under the information exchange MOU and it is currently inactive.

Implementing Legislation

Two laws provide the legal authority for the Cooperation Program. The Magnuson Fishery Conservation Act, 16 U.S.C. 1822(a) authorizes the Secretary of State to negotiate international fishery agreements. Another law, 16 U.S.C. 1855(d), authorizes the Secretary of Commerce to promulgate regulations necessary to carry out the Magnuson Act.

Member Nations

The United States and Mexico.

Budget

There are no funds specifically budgeted for the program; costs are assumed in the operating budgets of the participating NOAA Fisheries offices. Annual costs of the program including staff time, travel, translation services, and miscellaneous expenses total about $60,000 annually. This does not include the cost of various working group meetings, such as the annual MEXUS-Gulf and MEXUS-Pacífico meetings or special meetings like the shrimp management and enforcement meetings held during 1997 and the bycatch reduction device (BRDs) meeting held in 1998.

Representation

The annual Fishery Cooperation Talks (FCTs) are coordinated by NOAA Fisheries and Mexico's Subsecretaría de Pesca (PESCA). Both agencies often invite other agencies to participate in the meetings. NOAA Fisheries has invited representatives from other NOAA line offices, the Food and Drug Administration, Department of Interior (U.S. Fish and Wildlife Service), U.S. Coast Guard, and the Department of State, as well as state government officials. PESCA has invited other government units such as the Instituto Nacional de Pesca, and the Procurator General para el Ambiente (PROFEPA), the Secretaría de Comercio, the Secretaría de Salud, and the Secretaría de Relaciones Exteriores.

Description

A. Mission/Purpose:

The participants have agreed to periodically review the United States-Mexican fisheries relationship. The BNC and FCT discussions serve to reinforce the longstanding cooperative relationship between the United States and Mexico on fishery issues. Formal and informal sessions provide opportunities to exchange information and discuss major issues.

B. Programs:

NOAA Fisheries and PESCA normally meet annually, alternating meetings between the United States and Mexico. The parties also discuss priority fishery issues as part of the annual BNC meeting. More detailed discussions are then conducted at the FCTs. Working group meetings are held as needed. The two science working groups, MEXUS-Gulf and MEXUS-Pacífico, meet annually. Other working group meetings are held as required on such matters as enforcement, management, aquaculture, and other issues.

Initially, the participants decided to omit the most contentious issues and focus on those issues where it was possible to reach some agreement on mutually beneficial projects. As a result, considerable progress was made during the 1980s in expanding cooperative research programs and better understanding each country's fishery laws and policies. The relationship matured during the 1990s; recent meetings have included discussions on management, enforcement, recreational fisheries, marine mammals and endangered species. The meetings help to inform participants of national programs affecting the other country. The participants in recent years have widened the scope of some research projects to include coordinated management and other issues.

C. Conservation and Management Measures:

Conservation and management issues are generally the major topics discussed at the meetings. The protection of marine mammals and endangered species (especially turtles and mammals) were for several years the focus of discussions, but Mexican officials for many years objected to discussions on the management of commercial fishery resources. Mexican officials in recent years, however, have responded more favorably to NOAA Fisheries suggestions that the two countries initiate information exchanges and share management experiences on various fishery resources. Shark and shrimp management and bycatch reduction in particular have been discussed in some detail. Mexico has even taken the initiative in pursuing possible cooperation on Gulf of Mexico shrimp management, but agreement at the Federal level is complicated by the important role of state agencies.

D. 2000 Meeting

The annual FCT between fishery officials of the United States and Mexico were held in Washington, D.C., on September 14-15, 2000. The meeting marked the twentieth session held with Mexican fishery officials since 1984. The two delegations were headed by the Subsecretario de Pesca, Lic. Carlos Camacho, and Penny Dalton, NOAA Assistant Administrator for Fisheries. The Mexican delegation included representatives of PESCA, the Instituto Nacional de Pesca (INP), and the Office of the Federal Procurator of Environmental Protection (PROFEPA). The U.S. Delegation included participants from various NOAA Fisheries offices, the State Department, and the U.S. Embassy in Mexico City. The discussions in Mexico City explored cooperative efforts in eight major issue areas: (1) research, (2) administration/management, (3) aquaculture, (4) enforcement, (5) tuna/dolphin, (6) sea turtles, (7) multilateral initiatives, and (8) other matters.

E. Future Meetings: No FCT meeting occurred in 2001 or 2002. Both sides are exploring the possibility of a meeting in fall 2003.

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SOUTH AMERICA

United States-Chile Fisheries Cooperation Program

Basic Instrument

The basic instrument establishing the United States-Chile Cooperation Program is a Memorandum of Understanding (MOU) between the U.S. National Marine Fisheries Service (NOAA Fisheries) and the Chilean Servicio Nacional de Pesca (SERNAPESCA) signed in 1995.

Implementing Legislation

Two laws provide the legal authority for the Cooperation Program. The Magnuson Fishery Conservation Act, 16 U.S.C. 1822(a) authorizes the Secretary of State to negotiate international fishery agreements. Another law, 16 U.S.C. 1855(d), authorizes the Secretary of Commerce to promulgate regulations necessary to carry out the Magnuson Act.

Member Nations

The United States and Chile

Budget

There are no funds specifically budgeted for the program; costs are assumed in the operating budgets of the participating NOAA Fisheries offices. Annual expenditures for the program including staff time, travel, translation services, and miscellaneous expenses total about $50,000 annually.

Representation

The meetings are coordinated by NOAA Fisheries and SERNAPESCA. Both agencies often invite other agencies to participate in the meetings. NOAA Fisheries has invited representatives from other NOAA line offices, the Food and Drug Administration, U.S. Coast Guard, and the State Department. SERNAPESCA routinely invites other units of the Ministerio de Economía (the Subsecretaría de Pesca and the Instituto de Fomento Pesquero) as well as industry representatives. SERNAPESCA has also invited representatives of the Chilean Navy and Ministerio de Relaciones Exteriores (Foreign Ministry) to attend some sessions.

Description

A. Mission/Purpose:

The participants have agreed to periodically review the United States-Chilean fisheries relationship. The resulting Fishery Cooperation Talks (FCT) provide a forum for U.S. and Chilean fishery officials to review fishery issues of mutual concern. Formal and informal sessions provide opportunities to exchange information and discuss major issues, resulting in a frank exchange of views and information.

B. Programs:

NOAA Fisheries and SERNAPESCA agreed to hold annual meetings during the first few years of the cooperative program. In the future, as the relationship matures, it may not be necessary for all of the participants to meet annually. Recent meetings have included discussions on management, enforcement, recreational fisheries, marine mammals and endangered species, research, environment, aquaculture, and information exchange. The meetings help to inform participants of national programs affecting the other country.

C. Conservation and Management Measures:

Conservation and management issues are generally the major topics discussed at the meetings. The protection of marine mammals was initially the primary focus of the meetings and continues to be an important element. NOAA Fisheries has additionally raised some concerns about Pacific sea turtles, especially leatherbacks. Other important conservation and management issues discussed include enforcement, management strategies and systems, and recreational fishing. Discussions on these issues as well as information exchanges and visits have enabled NOAA Fisheries and Chilean fishery agencies to exchange ideas and experiences in formulating domestic policies as well as to work further on species of mutual interest.

D. 2002 Meeting:

The most recent Fishery Cooperation Talks between fishery officials of the United States and Chile were held in Viña del Mar, Chile, in April 2002. The meeting marked the sixth session held with Chilean fishery officials since 1995. The Chilean delegation included representatives of different units of the Fisheries Under-Secretariat (SUBPESCA), the National Fisheries Service (SERNAPESCA), the Fisheries Development Institute (IFOP), the Chilean Navy (General Directorate of Maritime Territory and the Merchant Marine), and the Chilean Embassy in Washington. The U.S. Delegation included participants from various NOAA Fisheries offices and the U.S. Coast Guard. The discussions explored cooperative efforts in six major issue areas: (1) research, (2) enforcement, (3) administrative/management, (4) multilateral initiatives, (5) aquaculture, and (6) environment.

E. Future Meetings:

The 2 Parties will consult regarding the scheduling of the next session, which will be held in the United States.

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ASIA

United States-Japan Consultative Committee on Fisheries

Basic Instrument

There is no formal instrument per se. The two countries agreed to the Consultative Committee via an exchange of diplomatic notes on January 27, 1992.

Implementing Legislation

None.

Member Nations

The United States and Japan.

Meetings

The Committee meets on an annual basis, or at other times as may be considered appropriate, in the United States or Japan. The venue for the Committee is decided prior to each meeting.

U.S. Representation

The Committee consists of one representative from each Government, as well as support staff and advisors. The current U.S. Representative is Mary Beth West, Deputy Assistant Secretary of State for Oceans and Space, Department of State.

Description

The U.S.-Japan Consultative Committee on Fisheries was formed to promote bilateral cooperation in the field of fisheries and fisheries research. It replaced the more formal Governing International Fisheries Agreement (GIFA) between the United States and Japan that expired on December 31, 1991. The Consultative Committee holds regular high-level bilateral consultations on fishery issues of mutual concern.

Recent Activities

Representatives of the United States and Japan held the 8th Meeting of the Consultative Committee on Fisheries at the NOAA Fisheries Southwest Regional Office in Long Beach, California, on January 29, 2003. The U.S. delegation was led by Ambassador West and the Japanese side was led by the Director-General of the Fisheries Agency of Japan, Mr. Hiroyuki Kinoshita. Dr. William Hogarth represented NOAA Fisheries at the Consultative Committee Meeting and led the U.S. delegation at a technical fisheries session held by the two countries on January 28, 2003.

The meeting was significant in that it was the first meeting of the Committee since June 1999. The United States cancelled the meetings in 2000 in protest of Japan's expansion of its lethal scientific whaling program in the Northwestern Pacific Ocean.

The two delegations exchanged views on the most important fisheries issues in the U.S.-Japan fisheries relationship. Prominent on the agenda were issues related to cooperation between the two countries at regional fisheries management organizations, and in particular the Inter-American Tropical Tuna Commission, the International Commission for the Conservation of Atlantic Tunas, the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific, the Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea, and the Northwest Atlantic Fisheries Organization. The two countries also discussed preparations for the 25th Meeting of the FAO Committee on Fisheries and exchanged views on combating illegal, unreported and unregulated (IUU) fishing and issues in the World Trade Organization and International Whaling Commission. The delegations of both countries reaffirmed the value of maintaining and further strengthening the long-standing cooperation between the United States and Japan on these and other fisheries issues.

The two sides agreed to resume the CC meetings on an annual basis. The Government of Japan offered to host the 9th CC meeting in 2004.

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United States-People's Republic of China Bilateral Fisheries Consultations

Basic Instrument

There is no formal instrument.

Implementing Legislation

None.

Member Nations

The United States and the People's Republic of China (China).

Meetings

The countries try to meet on an annual basis, or every other year, in the United States or China. The venue for the Committee is decided prior to each meeting.

U.S. Representation

The Committee consists of one representative from each Government, as well as support staff and advisors. The current U.S. Representative is Ambassador Mary Beth West, Deputy Assistant Secretary of State for Oceans and Space, Department of State.

Description

Since 1995, the United States and China have maintained a bilateral fisheries relationship under terms of a Governing International Fisheries Agreement (GIFA). They have also collaborated on fisheries and other marine science programs through a bilateral science and technology agreement, and on high seas driftnet fisheries enforcement via a U.S.-PRC Shiprider Memorandum of Understanding. U.S. and Chinese Government fisheries officials met at the U.S. Department of State in Washington, D.C., on January 20-21, 1999, to review the full range of mutual fisheries issues. The fisheries talks proved highly productive and the two countries agreed to hold similar meetings on a regular basis, every year or every other year.

Recent Activities

Representatives of the U.S. and Chinese Governments met in Beijing on May 8-10, 2002, to discuss fisheries issues of mutual concern. The U.S. delegation was led by Ambassador Mary Beth West, Deputy Assistant Secretary for Oceans and Fisheries, U.S. Department of State. Representatives from NOAA Fisheries and the U.S. Coast Guard were included on the delegation. The Chinese delegation was headed by Li Jianhua, Deputy Director General of the Bureau of Fisheries (BOF), Ministry of Agriculture, led the Chinese delegation. In opening comments, both sides noted the importance of continuing already productive bilateral cooperation on fisheries.

Reducing Capacity, Improving Enforcement: Li emphasized China's desire to operate responsible, sustainable fisheries according to international standards. As a result, China has been working to reduce fishing capacity by cutting the numbers of fishing vessels, and to retrain fishermen for other jobs. China has also implemented marine and freshwater fishing moratoria to protect fish stocks.

Li said China was very interested in improving its ability to enforce its fisheries laws and would like to send a delegation to the United States in September 2002 for that purpose. The U.S. delegation welcomed this proposal in principle and agreed to begin looking at the specific arrangements for the visit.

United Nations (UN) Fish Stocks and Food and Agriculture Organization (FAO) Compliance Agreements: Li said China had begun to implement the UN Fish Stocks Agreement but had not ratified it because of concerns over high seas boarding. When these concerns have been addressed to China's satisfaction, China will be ready to ratify. China will also be ready to ratify the UN FAO's High Seas Fishing Vessel Compliance Agreement. The obstacles to ratification are permitting and control systems in China. When those systems are in place, the Chinese Government will begin the ratification process.

FAO International Plans of Action (IPOAs): Regarding FAO IPOAs on fisheries, Li noted China's preference for working with regional fisheries organizations on such issues as capacity, shark finning, seabird by-catch, and illegal, unregulated, and unreported (IUU) fishing. He also called attention to China's lack of ability to implement these plans to developed country standards. The U.S. delegation noted China's comments but said the scale of these problems exceeded the capability of regional organizations. The U.S. delegation noted that APEC fora may provide a vehicle for technology sharing and policy development.

International Commission for the Conservation of Atlantic Tuna (ICCAT): Both sides supported the effective functioning of ICCAT and committed to mutual cooperation under the ICCAT framework. The U.S. delegation noted its concerns over some ICCAT issues, including stock management, compliance, and non-member fishing, and asked for Chinese support for U.S. initiatives to address those concerns. Li said China would work within the ICCAT framework but is seeking to expand its bigeye tuna quota through an innovative arrangement with the Japanese.

Multilateral High-Level Conference (MHLC): Concerning the MHLC on highly migratory fish stocks in the western-central Pacific, both sides were pleased with the positive results so far and with U.S.-China cooperation on negotiations of this agreement. China remains concerned with the nomenclature under which Taiwan participates in this and other international fisheries bodies, such as the Interim Scientific Committee (ISC) for tuna, and Li said such concerns could affect China's participation in those meetings. The U.S. delegation emphasized the importance of Taiwan's participation in those meetings, commended China's constructive approach in the Inter-American Tropical Tuna Commission negotiations, and noted the informal nature of the ISC.

Shiprider Program: Both sides noted the success of the moratorium on large-scale high seas driftnet fishing. Li noted that Chinese participants in the high-seas "shiprider" program (joint enforcement of the UN General Assembly moratorium on use of high seas driftnets) had benefitted greatly from the experience.

North Pacific Salmon: Both sides agreed that North Pacific salmon issues were an area of notable success and cooperation. Ambassador West encouraged China to join the North Pacific Anadromous Fish Commission (NPAFC), saying that China's participation would strengthen this organization. Li noted China's good relationship with the NPAFC and said that China would continue cooperating with it.

Pollock, Shark Finning, Turtles, WSSD, Toothfish: Both sides noted good long-term cooperation on the Central Bering Sea Pollock Convention, and committed to the goal of rebuilding those pollock stocks as soon as possible. The U.S. delegation noted the lack of progress toward that goal, and urged patience so as not to risk damaging the investment so far by premature resumption of commercial fishing.

On the Shark Finning Act, the Chinese said that they understand U.S. goals but believe the Act will be difficult to implement. They would prefer to use multilateral organizations to accomplish the same goals. The U.S. delegation said it was willing to consult.

The U.S. delegation welcomed Chinese participation in sea turtle protection meetings. The Chinese side noted its cooperation with the United States on this issue and expressed interest in learning more about relevant technologies.

The U.S. delegation called attention to the importance of oceans and fisheries at the upcoming World Summit on Sustainable Development (WSSD) and asked China to support U.S. initiatives there. Li said that the BOF was cooperating on fisheries issues with the State Environmental Protection Administration, which is the lead Chinese agency for WSSD.

Both sides recognized that certain types of subsidies exacerbate overcapacity and agreed to discuss these issues further. China noted the need to define which subsidies are positive and which are negative.

Ambassador West urged China to become a full member of the Commission for the Conservation of Antarctic Living Marine Resources (CCAMLR). She noted two recent problems with catch documentation, and asked for information about toothfish processing methods and conversion rates. Li responded that China was considering membership but has not made a final decision.

Next Meeting: The United States will host the next fisheries consultations in late 2003 or early 2004.

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Memorandum of Understanding Between the American Institute in Taiwan and the Taipei Economic and Cultural Representative Office in the United States Concerning Cooperation in Fisheries and Aquaculture

Basic Instrument

The basic instrument establishing U.S.-Taiwan cooperation in fisheries and aquaculture is the Memorandum of Understanding (MOU) Between the American Institute in Taiwan (AIT) and the Taipei Economic and Cultural Representative Office (TECRO) in the United States Concerning Cooperation in Fisheries and Aquaculture. The MOU was signed by AIT and TECRO on July 30, 2002.

Implementing Legislation

None.

Members

The United States and Taiwan.

Meetings

The Parties (AIT and TECRO) agreed that their designated representatives will consult periodically, either in the United States or Taiwan.

U.S. Representation

The designated representatives for AIT are NOAA Fisheries (U.S. Department of Commerce), the U.S. Coast Guard, and the Bureau of Oceans and International Environmental and Scientific Affairs (U.S. Department of State).

Description

The United States began negotiating the MOU between AIT and TECRO in July 2000 to address problems associated with (1) Taiwan's inability, due to it's political status as a non-state, to become party to a number of international fisheries treaties and regional organizations, and (2) Taiwan fishermen's involvement in large-scale high seas driftnet fishing activities in the North Pacific Ocean.

Pursuant to the MOU, Taiwan committed to abide by the rules for sustainable fisheries set forth by the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks and the 1993 FAO Agreement on Promoting Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas. Taiwan also agreed to cooperate with the United States in the implementation of the 1995 FAO Code of Conduct for Responsible Fisheries; and the International Plans of Action for the Management of Fishing Capacity, for the Conservation and Management of Sharks, for Reducing Incidental Catch of Seabirds in Longline Fisheries, and for Preventing, Deterring and Eliminating Illegal, Unreported and Unregulated fishing as adopted by the FAO. Finally, Taiwan committed to continue to cooperate with the United States in the implementation of United Nations General Assembly Resolution 46/215, which calls for a global ban on the use of large-scale high seas driftnets. Taiwan will take action against individuals, corporations and vessels subject to those laws and regulations that may engage in large-scale high seas driftnet fishing operations in the North

Pacific Ocean. In exchange for the above commitments from Taiwan, the United States agreed to assist Taiwan authorities to participate equitably in global, regional, and subregional fisheries organizations.

The two Parties, through their designated representatives, also agreed to (1) exchange information on fisheries and aquaculture research and relevant scientific reports and publications; (2) conduct joint studies and training programs on fisheries and aquaculture; (3) promote exchange visits of fisheries and aquaculture personnel; and (4) strengthen existing cooperation between fisheries enforcement representatives.

Recent Activities

U.S. and Taiwan representatives have not yet met subsequent to the signing of the MOU.

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EUROPE

Agreement Between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics on Mutual Fisheries Relations (Basic Instrument for the U.S.-Russia Intergovernmental Consultative Committee -- ICC)

Basic Instrument

Agreement Between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics on Mutual Fisheries Relations of May 31, 1988, as amended (TIAS 11442, the U.S.-Soviet Comprehensive Fisheries Agreement). Note: The obligations of the former Soviet Union under this agreement have devolved on the Russian Federation.

Implementing Legislation

Public Law 100-629 (An untitled Act that implemented the Comprehensive Fisheries Agreement. Enacted November 7, 1988).

Member Nations

The United States and the Russian Federation.

Meetings

The ICC meets alternately in the United States and Russia, usually on an annual basis, at the discretion of the heads of delegation.

U.S. Representation

Under the Rules of Procedure established for the ICC, the United States and Russia are to designate a Representative and an Alternate Representative. The current U.S. Representative is Mary Beth West, Deputy Assistant Secretary of State for Oceans and Fisheries Affairs. To date, the United States has not identified an Alternate Representative.

Pursuant to Section 5 of Public Law 100-629, a 12-member "North Pacific and Bering Sea Fisheries Advisory Body" was established to advise the U.S. Representative to the ICC. This body consists of the following individuals:

(A) The Director of the Department of Fisheries and Wildlife of the State of Washington;
(B) The Commissioner of the Department of Fish and Game of the State of Alaska;
(C) Five members appointed by the Secretary of State from a list of ten nominees provided by the Governor of Alaska; and,
(D) Five members appointed by the Secretary of State from a list of ten nominees provided by the Governor of Washington.

Description

The United States and the Russian Federation maintain the bilateral ICC fisheries forum pursuant to the U.S.-Soviet Comprehensive Fisheries Agreement, signed on May 31, 1988. The ICC is responsible for furthering the objectives of the Comprehensive Fisheries Agreement. These objectives include maintaining a mutually beneficial and

equitable fisheries relationship through (1) cooperative scientific research and exchanges; (2) reciprocal allocation of surplus fish resources in the respective national 200-mile zones, consistent with each nation's laws and regulations; (3) cooperation in the establishment of fishery joint ventures; (4) general consultations on fisheries matters of mutual concern; and, (5) cooperation to address illegal or unregulated fishing activities on the high seas of the North Pacific Ocean and Bering Sea. The current agreement is in force through December 31, 2003.

Current Status

In accordance with Article 14 of the 1988 Agreement on Mutual Fisheries Relations (hereinafter referred to as the "Agreement"), representatives of the United States and Russia conducted the 13th Session of the Intergovernmental Consultative Committee on Fisheries in Moscow, Russia, on September 20-21, 2002. The U.S. delegation was led by Ambassador Mary Beth West, Deputy Assistant Secretary of State for Oceans and Fisheries and the Russian delegation was led by Dr. Boris N. Kotenev, Director, VNIRO (Fisheries Research Institute).

The following fisheries issues were discussed at the meeting:

Fisheries Research Cooperation

The U.S. delegation stated that there has been a history of good scientific research cooperation between the two countries. It noted that TINRO and the NMFS Alaska Fisheries Science Center have expanded scientific cooperation, and that the U.S. delegation would like to develop a Memorandum of Understanding (MOU) to further enhance that working relationship. The U.S. delegation designated Dr. Richard Marasco, NMFS, as the point of contact for the proposed MOU. The Russian delegation noted that an MOU would reduce the cost of work, and would allow each side to make exchanges in areas of their strength. The Russian delegation designated the State Committee for Fisheries as Russia's contact point.

2001 Research on the Condition of Bering Sea Pollock Stocks: The U.S. delegation reported that the status of stocks in the eastern Bering Sea is generally healthy. The total allowable catch (TAC) in 2002 was set at the highest level in recent years. The Aleutian Basin pollock stock remains depressed, however. For that reason, the North Pacific Fisheries Management Council has not permitted fishing in the Aleutian Island region in the U.S. zone.

The Russian delegation reported that the northern and western pollock stocks also remain in poor condition. However, icthyoplankton counts and analysis indicate stock stabilization at low levels with some prospects for growth. Data obtained in recent years has allowed more successful management in these areas, and the Russians expect stock levels to rise. Russia has instituted several conservation measures. A fishing moratorium continues in the western Bering Sea for a third year. The pollock TAC has been reduced since 2001. The TAC for 2004 will be developed in November or December 2002, and it is expected to be lower than the 2002 TAC.

Research Vessel Clearances: The U.S. delegation noted that permitting Russian research vessels to enter the U.S. EEZ for inter-ship calibration with a U.S. survey vessel is not as effective as permitting a U.S. vessel to enter the Russian EEZ to continue its pollock survey into the Russian zone. The United States remained concerned that Russia has not allowed research in its EEZ by a U.S. vessel since 1998. The U.S. side said it still hadn't received a response to its July 2002 diplomatic note requesting an explanation for the continued refusals. The United States noted that it would also like to participate in some Russian research cruises in the western and northern Bering Sea. TINRO was able to get permission to place a U.S. scientist on a salmon research cruise in September-October 2002 under the North Pacific Anadromous Fish Commission's (NPAFC) Bering-Aleutian Salmon International Survey (BASIS) research arrangement.

The U.S. delegation asked if permission was granted for this activity because it is cooperative research agreed to pursuant to an international convention (NPAFC).

The Russian delegation confirmed its interest in cooperating, and expressed regret that the process for granting research vessel clearances has become more complex. Other agencies are able to overrule the Fisheries Committee on vessel clearance issues. The Russian delegation assured the U.S. delegation that U.S. researchers are not being targeted, noting that similar problems existed for Norway in the Barents Sea.

Exchange of Information on Salmon Problems

Data Exchange Through the NPAFC: The U.S. delegation noted that informal exchanges of scales samples with Russian scientists seem to have been replaced by more bureaucratic procedures involving formal requests at NPAFC meetings. Worse yet, requests are not being fulfilled. The United States is interested in biological samples and data for salmon stock identification studies from the salmon bycatch of the commercial and/or research trawl fisheries in the Russian EEZ in the North Pacific Ocean and Bering Sea. The United States would also like to request biological samples for stock identification, and data from directed salmon fisheries in the Russian North Pacific Ocean and Bering Sea EEZ. The U.S. delegation asked if there was a new system in place for requesting such samples.

The Russian delegation said that Russia remains very interested in data exchanges on salmon, and that scale specimens will be provided at the NPAFC Annual Meeting in Vladivostok.

Coordination of Bering Sea Salmon Research Plans: The United States expressed satisfaction with cruise planning and coordination under the NPAFC-BASIS program and in particular, the work of Dr. Olga Temnykh of Russia. The U.S. delegation asked Russia to accommodate NPAFC scientists on its BASIS cruises in 2003.

The Russian side is attempting to ensure that the methodology of data collection is good. The BASIS program involves a survey by three vessels. The first cruise has produced results on standardization of fishing gear. Unfortunately, there are no facilities for genetic sampling. BASIS will develop uniform techniques for genetic analysis. In 2003, the Russian side plans to conduct studies on the standardization of identification methods of salmon stock, within the framework of the BASIS program.

Extension of the 1988 Agreement

Both sides agreed that the 1988 U.S.-Russia Agreement on Mutual Fisheries Relations should be extended for another five years, and that the extension process should begin as soon as possible.

Cooperation Between Fisheries Enforcement Organizations

Both side expressed satisfaction with the effectiveness of the enforcement function of the NPAFC and cooperative actions of the U.S. Coast Guard and the Russian Federation's Federal Border Service (FBS). The U.S. delegation stated it was particularly pleased with the resolution of the F/V *VLADA* case. The Russian side said it was prepared to send an FBS patrol vessel to the vicinity of the U.S.-Russia maritime boundary line in the Bering Sea and conduct air patrols during the active fishing season.

Exchange of Information on Violations Near the Bering Sea Maritime Boundary

The U.S. delegation presented information on recent violations of the border line by Russian fishing vessels; 01 Aug 02 F/V *MYS MURAVJEVA*, 05 Aug 02 F/V *MYS DATTA*, 04 Sep 02 F/V *VIYTNA*, and 06 Sep 02 F/V *KAPITAN BOLSUNOVSKIY*. It also expressed deep concern about recent actions by Russian fishing vessels and crews to counter Coast Guard law enforcement actions. The Russian side said it shared U.S. concerns about these problems and that appropriate actions had been taken in compliance with Russian Law. A separate technical discussion between the Coast Guard and Federal Border Service was conducted, and both sides agreed to further discussion of enforcement and legal issues in the future.

Both sides presented their views on the differences between geodetic coordinate systems used by the two countries. The United States noted that the differences in the charting datums cannot completely account for the magnitude of incursions detected. The FBS proposed to run a joint experiment to identify technical capabilities of various navigation systems which are being used by U.S. Coast Guard and FBS vessels in the region. The United States agreed, but noted that this topic was previously resolved at the 11th ICC session in March 2000.

Cooperation Between Fishing Industries

The Russian delegation reviewed the cooperation between U.S. and Russian fishermen in 2001 and 2002. Three Russian vessels received mackerel in the U.S. EEZ. Although the arrangement proved not to be economically viable, both sides expressed great interest in continued cooperation in such ventures in the future. There were no serious problems during these ventures, and all issues were resolved at a working level. The Russian delegation noted that business contacts would be facilitated by a direct catch quota and also suggested that there is joint interest by Russian and U.S. scientists in conducting mackerel research in U.S. waters. The Russian delegation proposed a meeting of U.S. and Russian businessmen, so similar projects could be established on the west coast of the United States.

The U.S. delegation agreed that these commercial projects have been of mutual benefit and expressed hope that they would continue. The U.S. side could not predict if there would be a direct catch allocation available in the future. The U.S. delegation suggested business discussions could begin with the industry representatives traveling with the U.S. delegation.

Next Steps for Expert Level Consultations on the Draft Intergovernmental Agreement on Fishing in the Northern Bering Sea

The Russian delegation reviewed the history of the Maritime Boundary Agreement. The Russian side did not ratify the agreement due to differences in evaluating the economic benefits of the agreement, primarily for fisheries industry. The Russian side said that the United States and Russia have been discussing compensation for the 1990 agreement for 5 years without progress. The Russian delegation noted frequent domestic calls to reconsider the agreement and to return to the situation prior to 1990. The urgent development of a bilateral agreement that would compensate Russian fishermen for their losses after some of their fishing regions in the Bering Sea had come under U.S. jurisdiction would expedite the ratification of the 1990 agreement by the Russian side and would help eliminate incidents between Russian fishing vessels and U.S. Coast Guard vessels in the Bering Sea. Although the situation has changed in recent years, there are provisions in the 1997 proposal that both sides could agree to without reservations. The Russian delegation said that not meeting for a year and a half has been too long and has led to misunderstandings. The Russian delegation proposed to meet again in six months for technical discussions.

Senator Nazarov proposed a working group comprised of U.S. and Russian experts to draw up recommendations to amend the maritime boundary agreement so that it could be ratified by both the United States and Russia. Russia expressed hope that this matter could be resolved in a working group that could meet in the next six months.

The U.S. delegation noted that the 1997 proposal only allowed fishing in the U.S. EEZ if Russia accepted specified conservation measures on its side of the boundary line. Russia has not been willing to accept the basic tenets of this proposal. The U.S. continues to believe the 1990 maritime boundary agreement is a fair and equitable treaty that represents a carefully negotiated compromise of numerous economic and political interests. Many interests were at stake in the negotiations, including territorial issues, Arctic claims, and oil and gas interests. The U.S. delegation said that the United States is not prepared to review or renegotiate the boundary treaty. The U.S. delegation stated that Russia lost the unfettered right to fish in waters on the U.S. side of the Bering Sea in 1977, not 1990. The United States has made two separate proposals in an effort to induce Russian ratification of the 1990 agreement. These proposals were not to compensate Russia, as no compensation is due. Rather, these proposals were incentives

for ratification. The U.S. delegation stated that Russia's counterproposals have failed to accept that there is too much fishing pressure on pollock in the Russian EEZ, and not nearly enough control over the fishing vessels that operate there. In addition, the U.S. side noted that conditions in the fishery have changed markedly on both sides since the proposal was made in 1997. The U.S. delegation believes further discussion of its 1997 proposal would not be productive, and that it is instead searching for new opportunities for cooperation, particularly in the areas of fisheries in law enforcement and increased scientific cooperation.

The Russian delegation noted that in February, 1977, during negotiation of the EEZ Boundary Line, the United States informally agreed that the USSR had lost losses catches (150,000 tons). The United States provided relative quotas to Russian fishermen until 1981. This practice was stopped at that time owing to events in Afghanistan. The concept of the draft agreement proposed by the U.S. side in 1997 with the intent to solve this problem was based on the assumption that stocks of pollock caught in the Russian EEZ come from the U.S. side. During a meeting held in May, 1998, experts of both sides did not support this concept. The Russian delegation noted that the TAC of pollock on the Russian side had steadily declined while the stock on the U.S. side remained healthier, which also supports the view the conclusions made by the experts in 1998. This is the reason why Russia had not accepted the U.S. proposal of 1997.

The U.S. delegation responded that the United States was well within its rights in deciding on allocations of surplus fish stocks. There was never a guarantee that there would be indefinite access to the U.S. EEZ or compensation for lost catches. The U.S. delegation reiterated its view that there is significant trans-boundary movement of pollock and noted that U.S. stocks feel pressure from the large number of Russian vessels fishing within 20 nautical miles of the boundary. The stability of U.S. stocks is due to the U.S. industry's low exploitation rate. The U.S. delegation proposed studying pollock migration patterns. Further, the U.S. offered several specific proposals for cooperation, including enhanced scientific cooperation, enhanced enforcement cooperation, and cooperation to address illegal exportation of fish products. The U.S. accepted Russia's invitation for an experts meeting in six months to further discuss areas of cooperation.

United Nations Convention on Law of the Sea of 1982 Related to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks

The U.S. delegation reiterated that United States considers implementation of this agreement vital and urged Russia to ratify it. The Russian delegation stated that both sides will work together towards this goal.

Conference of the Parties to the Central Bering Sea Pollock Convention

Results of the 2002 Annual Conference in Moscow: The Russian delegation reported on the results of the Annual Conference. The Conference was successful from the standpoint that Parties set the allowable harvest level (AHL) for the Convention area at zero for 2003. Last year, the first signs of stock recovery appeared in both the U.S. and Russian zones. The forthcoming years will require consideration of the conditions for trial fishing. The Russian delegation proposed meeting before the Working Group meeting in Korea to prepare a joint position.

The U.S. delegation thanked the Russian delegation for hosting the conference and for its assistance in maintaining an AHL of zero at the 2001 conference, which the entire U.S. delegation was unable to attend. The U.S. side agreed to meet prior to the Working Group meeting in Korea.

Exchange of Information on Fishing Within the Framework of the Agreement of 13 June 1996 on Preservation of Transboundary Fish Stocks in the Central Okhotsk Sea.

The Russian delegation reported that during the last 8 years, pollock stocks in the Sea of Okhotsk have fallen drastically. The TAC in the northern part fell from 900,000 mt to 180,000 mt, and in the eastern part, from 800,000

mt to 150,000 mt. In 2002, the 1997 year class was abundant, so it is possible that the TAC could be increased in 2003. The U.S. delegation expressed its interest in helping conserve stocks in this region. The U.S. delegation asked the Russian side whether vessels that had previously fished in this area had been displaced to the maritime boundary area of the Bering Sea. The Russian delegation responded that the only option for vessels formerly fishing in this area was to switch to fishing other species.

Positions of the Parties Related to the Activity of Regional International Organizations: NAFA, ICCAT, NASCO, PICES, SEAFO, CITES.

The U.S. delegation had no specific issues to raise with respect to most of these organizations. The delegation did inquire as to which agency in the Russia Federation handles marine species issues in relation to CITES and who will represent Russia at the Santiago meeting in Chile. The Russian delegation responded that the composition of the Russian delegation to Santiago had not been decided. The Russian delegation noted that the State Committee on Fisheries is responsible for CITES issues concerning sturgeon and other commercial fish species. The Ministry of Natural Resources is responsible for all other marine species.

U.S. Update on Prevention of Seabird By-catch in Longline Fisheries of the North Pacific

The U.S. delegation stated that the United States has integrated the prevention of seabird bycatch into its fishery management plans. It said that there are three species of albatross that could be caught in Russian waters. It hopes that Russia will implement measures to help prevent the incidental bycatch of seabirds. The U.S. side invited Russia to participate in international conferences on this issue.

The Russian delegation agreed that seabird by-catch is a problem that is technically difficult to resolve. The delegation noted that Russia has begun to deploy technology to scare away birds and whales, though technical problems remain. The Russian delegation suggested that this issue could be added to the proposed MOU to be signed between fisheries services at the upcoming working group meeting.

Status of Acceptance of FAO Compliance Agreement

The U.S. delegation informed the Russian side that the FAO Compliance Agreement still needed ratification by three more states before it can enter into force. The U.S. delegation urged Russia to become party to this important agreement.

The Russian delegation stated that Russia is not yet prepared to ratify the agreement. Several ministries are involved in the decision to accept this agreement and have not completed reviewing it.

Other Issues of Mutual Interest

Intermixing of Salmon Stocks in the Russian EEZ: The Russian delegation stated that Asian and North American salmon intermix on the high seas in the winter. The proportion of North American salmon in the Russian catch is very low--approximately one tenth of one percent of the total salmon catch. The Russian delegation said that has been confirmed by the multilateral tagging program.

The U.S. delegation believe that there is need for comprehensive information on salmon mixing in the Bering Sea and the North Pacific Ocean. The U.S. delegation expressed the hope that the NPAFC BASIS program will provide a more complete picture. The U.S. delegation also stated that it continues to attach importance to the 1992 agreement prohibiting salmon fishing beyond 25 miles from shore in U.S. and Russian waters of the Bering Sea and North Pacific Ocean. Finally, the United States noted the problem of chum salmon bycatch in the U.S. pollock fishery and inquired if Russia had a similar problem.

The Russian delegation answered that Russia has prepared an atlas of the distribution of variants of Pacific salmon stocks during the spring and summer feeding season and pre-spawning migrations, and Russian scientists believe they understand salmon distribution. It suggested that this could be an issue for discussion under the cooperation MOU. The Russian delegation also suggested that the 1992 agreement on salmon could be revisited. The Russian delegation stated that the economic consequences of the chum issue are great in the Russian Far East.

Large-scale, High Seas Driftnet Fishing Issue: The U.S. delegation reiterated U.S. support for the United Nations resolution creating a moratorium on large-scale high seas driftnet fishing. There were no confirmed incidents of such fishing in the North Pacific in 2002, and the United States expressed gratitude for the Russia's cooperation and assistance in this regard.

The Russian delegation stated that Russian does not conduct this type of fishing. In 2001, Russia proposed to the NPAFC an international program to study salmon migration on the high seas using driftnets 4 km long, but this proposal was not accepted. Russia would like to resubmit this proposal at the 2002 NPAFC Annual Meeting, but would like U.S. support.

The U.S. delegation noted that large-scale driftnet fishing remains a controversial issue in the United States, but that it would be willing to consider the Russian proposal.

Status of Steller Sea Lion Populations in the Russian EEZ: The Russian delegation reported that the decline in Steller sea lions occurred in both Russian and U.S. EEZs. The decline in the Russian EEZ did not have as great an impact on fisheries as in the United States. The Russian side believes the decline in population is due to natural causes, and noted stabilization in populations, with dramatic growth in select populations. Russian scientists believe sea lion populations in the North Pacific will increase in the future.

The U.S. delegation noted the meeting on sea lions recently held in Russia and the close contacts between U.S. and Russian scientists on this issue. In the United States, the western population of Steller sea lions is still considered endangered. The U.S. side noted that the Steller sea lion areas were not closed solely because of the impact of fisheries on sea lion population, but for other reasons as well. The United States has taken serious and extensive measures to conserve the sea lion population, and remains interested in what happens to these mammals when they leave the U.S. EEZ. The U.S. side expressed interest in Russian data on incidental catches.

The Russian delegation responded that in the area around the Commander Islands and the Kurile Islands, Steller sea lion habitats are closed to economic activity. The Russian delegation noted that the loss of economic activity in the Kurile Islands for one year is larger than U.S. investment in Steller sea lion conservation for four years. The Russian delegation did not believe that incidental catches of sea lions affected the population, and reiterated the belief that natural causes are the primary reason for the population decline.

Russian Membership in FAO: The United States said that FAO has become much more effective in the field of fisheries, and expressed the hope that the Russian Federation will join FAO. The U.S. delegation said that Russia would have much to contribute to the work of the organization.

The Russian delegation noted that the State Committee for Fisheries has an observer to the FAO, and has worked very closely with the FAO and its members since the 1960s. Unfortunately, the question of joining the FAO is not decided solely by the Fisheries Committee, but primarily by the Ministry of Finance. The Russian delegation continues to work towards membership in the FAO.

Shark Conservation and Management: The U.S. delegation reported that in 2000, the U.S. Congress passed a law prohibiting shark finning, and called upon the U.S. Government to encourage other countries to do the same. The United States is interested in shark conservation and is implementing a shark National Plan of Action. The U.S.

delegation invited Russian participation in the December 2002 APEC Working Group Meeting on shark conservation.

The Russian delegation stated that, for all practical purposes, Russia has no shark problems, as it has no shark fishing industry. Furthermore, there is no market for shark products in Russia.
The Russian delegation said it would be interested in receiving further information on the U.S. shark finning law and the December APEC meeting.

Time and Place of the 14th Session of the ICC: The U.S. delegation invited the Russian delegation to Seattle for Working Group talks in March 2003. Work on the cooperation MOU between NMFS and the State Committee for Fisheries will take place prior to the meeting, with a view to having the document ready to sign at the working group. The U.S. delegation also agreed to host the next ICC meeting following the Central Bering Sea Pollock Convention Annual Conference to be held in Portland, Oregon, in September 2003.

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United States-European Union High Level Fisheries Consultation

Basic Instrument

There is no formal instrument.

Implementing Legislation

None.

Members

The United States and the European Union (EU).

Meetings

The United States and the EU meet on an annual basis, alternating between the United States and the EU.

U.S. Representation

The Consultation consists of one representative from each Government, as well as support staff and advisors. The current U.S. Representative is Ambassador Mary Beth West, Deputy Assistant Secretary of State for Oceans and Fisheries, Department of State.

Description

The United States and the EU first met in 1997 to promote cooperation in the field of fisheries and fisheries research. Since then, they have held annual consultations to review fishery issues of mutual concern.

Recent Activities

Representatives from the United States and the EU met on July 9, 2002, at the U.S. Department of State in Washington, D.C., for the 5th U.S.-EU High Level Fisheries Consultations. The U.S. delegation was led by John Turner, Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs. Attendees from NOAA included William Brennan, Deputy Assistant Secretary for International Affairs, Dr. William Hogarth, Assistant Administrator for Fisheries, and Dr. Rebecca Lent, Deputy Assistant Administrator for Fisheries. In addition to State Department and NOAA fisheries officials, the U.S. delegation also included the two private sector Commissioners for the International Commission for the Conservation of Atlantic Tunas (ICCAT), Glenn Delaney and Robert Hayes, and representatives from the U.S. Food and Drug Administration. The EU delegation was led by Emilio Mastracchio, Acting Director-General of the Directorate-General for Fisheries (DGF) and included other representatives from the DGF and the Delegation for the European Commission in Washington.

The two delegations exchanged views on the full range of issues in the U.S.-EUfisheries relationship. Major topics of discussion included ICCAT and Northwest Atlantic Fisheries Organization (NAFO)administrative and fisheries management issues, the status of negotiations in the Inter-American Tropical Tuna Commission toward a new convention, the state of play with regard to FAO International Plans of Action on the Conservation and Management of Sharks, the Reduction of Incidental Catch of Seabirds in Longline Fisheries, the Management of Fishing Capacity, and Illegal, Unreported, and Unregulated (IUU) Fishing, and the status of EU ratification of the United Nations Agreement on the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks.

The EU delegation presented an overview of the EU's new proposed Common Fisheries Policy. The two sides also discussed a number of fisheries trade and market access-related issues. The delegations of both countries reaffirmed the value of maintaining and further strengthening the long-standing cooperation between the United States and the EU in these and other fisheries issues.

A complete summary of the discussions can be obtained from NOAA Fisheries upon request.

Next Meeting

The United States will host the 6th session of the U.S.-EU High Level Fisheries Consultations in Washington, D.C., on June 30-July 1, 2003.

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PART III. SCIENTIFIC ORGANIZATIONS AND COUNCILS

PACIFIC OCEAN

North Pacific Marine Science Organization (PICES)

Basic Instrument

Convention for a North Pacific Marine Science Organization (PICES)

Implementing Legislation

No implementing legislation. Self-executing treaty; under the general authority of the Secretary of State.

Member Nations

Canada, Japan, People's Republic of China, Republic of Korea, Russian Federation, and the United States of America

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Chair of Governing Council: Dr. Vera Alexander
Dean, School of Fisheries and Ocean Sciences
University of Alaska

Vice Chair: Dr. Tokimasa Kobayashi
Counselor, Department of Resources Enhancement Promotion
Fisheries Agency of Japan

U.S. Representation

A. Appointment Process

The United States is represented on the PICES Governing Council by two delegates appointed by the Secretary of State in consultation with interested agencies and institutions: one from a major Federal Government research agency and one from a research university or other academic institution. The United States is represented on the Scientific Committees and Working Groups created by the Governing Council by individuals appointed by the Secretary of State in consultation with interested agencies and institutions.

B. U.S. Delegates:

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Description

A. Mission/Purpose:

The area which the activities of PICES concern is defined by the Convention as the temperate and sub-Arctic region of the North Pacific Ocean and its adjacent seas, especially northward from 30°North Latitude. Activities of the organization may, for scientific reasons, extend farther southward in the North Pacific Ocean.

The primary role of PICES is to promote and coordinate marine research undertaken by the Parties in the Convention Area; advance scientific knowledge about the ocean environment, global weather and climate change, living resources and their ecosystems, and the impacts of human activities; and promote the collection and rapid exchange of scientific information on these issues. PICES provides an international forum to promote greater understanding of the biological and oceanographic processes of the North Pacific Ocean and its role in global environment.

B. Organizational Structure:

PICES is comprised of (1) a Governing Council, (2) a Science Board (3) such permanent or ad hoc scientific groups and committees as the Governing Council may from time to time establish, and (4) a Secretariat. The Governing Council has both scientific and administrative functions.

Governing Council: The scientific functions of the Governing Council are to identify research priorities and problems pertaining to the Convention Area and appropriate methods for their solution; to recommend coordinated research programs and related activities pertaining to the Convention Area which shall be undertaken through the national efforts of the participating Contracting Parties; to promote and facilitate the exchange of scientific data, information and personnel; to consider requests to develop scientific advice pertaining to the Convention Area; to organize scientific symposia and other scientific events; and to foster the discussion of problems of mutual scientific interest.

The administrative functions of the Governing Council are to adopt and amend the Rules of Procedure and Financial Regulations; to consider and recommend amendments to the Convention; to adopt the annual report of the organization; to examine and adopt the annual budget and financial accounts of the organization; to determine the location of the Secretariat; to appoint the Executive Secretary; to maintain contact with other international organizations; and to manage the activities of the organization.

Science Board: The Science Board oversees the activities of the four scientific committees, the technical committee, and the scientific program. Its membership includes an overall chairman, as well as the chairmen from each of the four scientific committees:

1) MEQ - Marine Environmental Quality
2) BIO - Biological Oceanography
3) FIS - Fisheries Science
4) POC - Physical Oceanography and Climate

Additionally, there is the Technical Committee on Data Exchange (TCODE)

Working Groups: Currently active PICES Working Groups are:

WG12-Crabs and Shrimps
WG13-Carbon Dioxide in the North Pacific
WG14-Effective sampling of micronekton to estimate ecosystem carrying capacity
WG15-Ecology of Harmful Algal Blooms in the North Pacific
WG16-Implications of Climate Change to Fisheries Management

Lastly, there is a scientific program titled "PICES-GLOBEC Climate Change and Carrying Capacity (CCCC) Program." This program is not a permanent PICES structure and is composed of members from all the scientific committees. Its role is to integrate the various disciplines of the science committees to address how climate change affects ecosystem structure and the productivity of key biological species at all trophic levels in the open ocean and coastal North Pacific ecosystems. The chairman of the CCCC program is not officially a member of the Science Board.

C. Recent Activities:

PICES held its 11th Statutory Meeting (PICES XI) on October 18-26, 2002, and its Annual Science Conference on October 21-24, 2002, in Qingdao, China. Approximately 370 participants attended the Science Conference. The U.S. delegation to PICES was led by Dr. Richard Marasco (U.S. Government representative, NOAA/NMFS) and Dr. Vera Alexander (academic representative, University of Alaska). The United States also participated as a permanent member to the Finance and Administration Committee and as a member of various scientific committees and working groups. Key issues of concern to the United States at the meeting included the continued scientific effectiveness of the organization and budgetary matters.

The theme of the Scientific Conference was “Technological Advances in Marine Scientific Research.” The growing trend of multidisciplinary studies as a function of the emphasis PICES places on ecosystem-based scientific inquiry was apparent in the variety of issues addressed within the 12 scientific sessions; issues ranged from developments in marine science technology and data management tools to predator-prey relationships as environmental indicators in the North Pacific. Sessions were attended by approximately 370 marine scientists from 14 countries and included representation from many other marine science organizations and global/regional initiatives. The extensive participation of multinational and other regional organizations was a welcome addition to the PICES Science Conference, since such participation may promote partnerships and avoid duplication of effort among the individual groups and initiatives, most of which suffer from limited financial and material resources.

In an effort to improve the effectiveness and continuity of PICES programs, the Governing Council agreed to conduct an intersessional meeting of the Science Board with the Chair and Vice Chair of the Governing Council. This meeting will be conducted in the spring at the Secretariat facilities, on a 2-year trial basis.

Budget: The Finance and Administration Committee met three times during the week to review 2002 spending and proposed 2003-04 budgets. Both the Auditor's Report for CY 2002 and the budget for 2003 were accepted by the Governing Council. Dues for 2003, divided equally among the six Contracting Parties (Canada, China, Japan, Korea, Russia, and the United States), are valued at CDN$97,000 or approximately US$62,400. This amount reflects a 3 percent increase designed to match the inflation of the Canadian CPI, as determined necessary at the 9th Annual Meeting held in Hakodate in October 2000. Contracting Parties were reminded to pay their annual dues by January 1 to help PICES avoid the loss of interest income. As of October 2002, China and Russia still had not paid 2002 dues in full. Korea finally paid their 2002 dues in August.

Contracting Parties were asked to consider that the "real" or inflation-adjusted value of annual contributions has significantly decreased since 1992 (e.g., the United States' contribution has decreased US$20,000). Because of this accumulated loss in income and increasing demands for Secretariat services, an average of CDN$50,000 has been transferred annually since 1999 from the Working Capitol Fund (WCF) to the General Fund to accommodate operating costs. It was noted that the level of funds available in the WCF, accumulated from both voluntary contributions and interest income, may not be sufficient for such a transfer in the future.

Monies earned from the registration fees of the Science Conference will continue to be used to offset the cost of the PICES Intern Program. The intern program has proved useful for both the participants and the Secretariat, which has been increasingly productive from year to year. In 2002, the Secretariat hosted 17 scientific meetings, generated 14 peer-reviewed publications, conducted 13 other joint meetings, and developed an extensive scientific contacts database.

During PICES X, an adhoc committee was established to consider the efficiency and focus of the current structure of the PICES Secretariat and science committees. The Governing Council of PICES XI accepted the Review Committee report. In addition to suggesting the conduct of a springtime inter-sessional meeting of the Science Board and Governing Council Chairs, there were two recommendations in the final report of budgetary concern: (1) Secretariat staffing concerns: Due to increased productivity of the Secretariat, including the development of the North Pacific Ecosystem Status Report, the Review Committee recommended the addition of a scientist to the Secretariat. Acknowledging the zero-growth budgets of Contracting Parties, alternatives were discussed, including promotion of the Visiting Scientist Program (a type of personnel loan program that has not received a single applicant since its inception in 1999). This subject will likely be revisited in 2003. The Governing Council agreed to conduct a review of the Secretariat position descriptions to more accurately reflect the staff's current responsibilities. Since this review may impact the salaries of the staff, which are based on the Canadian Government personnel system, the report will be reviewed in 2003 during the interim meeting. (2) Publication review: It was recommended that the Secretariat obtain cost estimates of a thorough review of PICES management of published information. These estimates will also be presented at the spring intersessional meeting.

The Governing Council noted, that despite the interest of the Mexican scientific community and various Mexico-PICES collaborative efforts, there was little indication from Mexican authorities throughout 2002 that it may pursue PICES membership. Though scientists from CIBNOR, CICIMAR, and CICESE attended PICES XI, Mexico refrained from observing the Governing Council meetings. The Governing Council will send an invitation to Mexico, in an effort to encourage its membership. The South Korean Delegate suggested that efforts be made to include North Korean scientists in PICES activities.

The 12th Annual Meeting will be in the Republic of Korea (city to be determined) from October 18-26, 2003. In consideration of future trends as well as current gaps in North Pacific oceans science, the scientific committees determined the theme of the 2003 meeting to be "Human Dimensions of Ecosystem Variability." Based on this theme, the following topic sessions were selected:

- Harmful algal blooms: harmonization of data
- North Pacific ecosystems status report: examination and critique
- Linkages between open and coastal ecosystems
- Influence of fishing/invasive species on ecosystem structure in coastal regions around the Pacific Rim
- Comparison of modeling approaches for food webs, marine ecosystem processes, and ecosystem response to climate variability
- Latitudinal differences in response to productivity and recruitment of marine organisms to physical variability
- Natural and anthropogenic influences on benthic-pelagic coupling in coastal systems
- Aquaculture within an ocean ecosystem.
- Ecosystem-based management
- Physical process impact on biological and fish population with variability in freshwater inputs to the ocean
- Management of eel resources
- Predatory impacts of coastal elasmobranches
- Combining data sets on distributions and diets of marine birds and mammals
- Electronic poster session on GIS applications for marine science

It was confirmed that the 13th Annual Meeting will be hosted by the United States in Honolulu, Hawaii, on October 15-23, 2004, and prior to the 2003 annual meeting, Russia will confirm its availability to host the 14th Annual Meeting in 2005.

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ARCTIC OCEAN

Program for the Conservation of Arctic Flora and Fauna (CAFF)

Basic Instrument

The Program for the Conservation of Arctic Flora and Fauna was established to address the special needs of Arctic species and their habitats in the rapidly developing Arctic region. It forms one of four programs the Arctic Council created by the Declaration on the Establishment of the Arctic Council, signed September 19, 1996 in Ottawa, Canada. The Arctic Council succeeded the Arctic Environmental Protection Strategy (AEPS), adopted through a Ministerial Declaration at Rovianemi, Finland in 1991.

Implementing Legislation

None.

Member Nations

Canada, Denmark/Greenland, Finland, Iceland, Norway, Russia, Sweden, and the United States.

Organization Headquarters

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Budget

The cost of the Secretariat is borne largely by Iceland, the host country, supported by voluntary contributions from Member countries. The U.S. contribution is provided by the U.S. Fish and Wildlife Service (FWS), Alaska Region.

U.S. Representation

A. Appointment Process

The U.S. Department of State has designated the FWS as the lead Federal agency for CAFF. The FWS Alaska Region provides the U.S. National Representative to CAFF and leads the U.S. delegation to the biannual meetings of CAFF. Kenton Wohl is the present U.S. National Representative.

B. U.S. Delegates and Scientific Advisers

U.S. delegates and scientific advisors are provided to CAFF by the Department of State, U.S. Fish and Wildlife Service, the National Oceanic and Atmospheric Administration/National Marine Fisheries Service, Alaska Department of Fish and Game, and non-governmental organizations.

C. Interagency Arctic Policy Group (APG)

U.S. participation in CAFF is also informed and advised by the Interagency Arctic Policy Group convened on a monthly basis by the Department of State.

Description

A. Mission/Purpose:

CAFF's main goals are: (1) conserve Arctic flora and fauna, their diversity and their habitats; (2) protect the Arctic ecosystem from threats; (3) improve conservation and management, laws, regulations and practices for the Arctic; and (4) integrate Arctic interests into global conservation.

Its guiding principles are: (1) the involvement of indigenous and local people and the use of traditional ecological knowledge; (2) the use of a broad, ecosystem-based approach to conservation and management; (3) cooperation with other conservation initiatives and the other Arctic Council programs (AMAP, the Arctic Monitoring and Assessment Program; PAME, the Program for the Protection of the Arctic Marine Environment; and EPPR, the Program for Emergency Prevention, Preparedness, and Response) to minimize duplication and to increase effectiveness; and (4) effective communication with respect to CAFF programs.

The CAFF program of work is guided by the "Strategic Plan for the Conservation of Arctic Biological Diversity"and undertakes five priority objectives identified by the Arctic Council. These tasks are:

1) Enhance efforts to monitor Arctic biodiversity, paying particular attention to species, populations, habitats, and ecosystems, which are of greatest ecological, cultural, social, economic or scientific value.

2) Support and implement measures for the conservation of Arctic genetic resources, species, and their habitats.

3) Establish protected areas in the Arctic region where they can contribute to the conservation of ecosystems, habitats, and species.

4) Manage activities outside protected areas in order to maintain the ecological integrity of protected areas and to ensure the conservation of biodiversity.

5) Enhance integration of biodiversity conservation and sustainable use objectives into sectoral and cross-sectoral plans and policies. Identify approaches and develop strategies by which information on the conservation of Arctic biological diversity can be made available in an appropriate manner to those making socio-economic decisions.

B. Organizational Structure:

CAFF operates through a system of Designated Agencies and National Representatives responsible to CAFF and their respective countries. The National Representatives and Permanent Participants meet several times a year to guide the administration of CAFF work and to prepare CAFF reports to meeting of Senior Arctic Affairs Officials and Arctic Ministers under the AEPS. CAFF meets biannually to assess programs and to develop CAFF Work Plans. It is directed by a chair and vice-chair which rotate among the Arctic countries, and is supported by an International Secretariat.

Most of CAFF's work is carried out through a system of lead countries as a means of sharing the workload. Whenever possible, CAFF works in cooperation with other international organizations and associations to achieve common conservation goals in the Arctic.

As needed, CAFF also establishes Specialist and Expert Groups to address program areas. CAFF presently has a Circumpolar Protected Area Network (CPAN) Working Group; a Circumpolar Seabird Working Group; and a Flora Working Group.

C. Recent Activities and Recommendations for Conservation:

CAFF is presently focusing on three areas which cover the key conservation challenges for action. They are:

1. Conservation of Arctic ecosystems, habitats and species, including the global issue of migratory species that frequent the Arctic.
2. Arctic circumpolar biodiversity monitoring.
3. Engaging society and capacity building.

1. Conservation of Arctic ecosystems, habitats and species, including the global issue of migratory species that frequent the Arctic.

In the report *Arctic Flora and Fauna: Status and Conservation*, conservation means the preservation of wild plants and animals and the natural processes that sustain them while accommodating sustainable use of these resources and of the environment. It includes the ocean, multiple seas, and adjacent lands. The natural and the human components of the Arctic ecosystem are constantly changing and adapting, and that conservation measures must also adapt to these changes. A healthy environment depends on compatible human uses.

For the Arctic, conservation issues must be considered in a global context. Pollution and Climate change is perhaps the most significant challenges to the Arctic as a region. The push for sustainable development is one response to the combined effects of these various forms of change.

For example, protected area coverage is distributed unevenly across countries and biogeographic zones. The Circumpolar Protected Areas Network (CPAN) is being developed to support and promote protected areas and conserve key habitat throughout the Arctic and to adequately represent all biogeographic zones. The protection of marine areas is one issue of importance.

The Arctic is home to countless numbers of marine and terrestrial migratory wildlife that overwinter in other parts of the globe. Conservation of these species, therefore, requires not only local action but cooperation and collaboration with the global community.

CAFF Recommendations:

CAFF recommends that the Arctic States in collaboration with indigenous people and communities, other Arctic residents, and stakeholders:

•Identify threats to Arctic species of common conservation concern, and implement necessary conservation measures for species of concern that currently lack concerted international actions.

•Assess the scope and impacts of non-endemic species in the circumpolar Arctic and develop appropriate response strategies.

•Identify important freshwater, marine and terrestrial habitats in the Arctic and ensure their protection through the establishment of protected areas and other appropriate conservation measures.

•Promote an ecosystem approach to resource use and management in the circumpolar Arctic, through, inter alia, the development of common guidelines and best practices.

•In cooperation with non-Arctic states, strengthen conservation measures for those migratory species that lack adequate protection outside of the Arctic.

CAFF Activities:

•CAFF Recommendations for Conservation (brochure)

•CPAN Value of Protected Areas (brochure)

•Circumpolar Arctic Vegetation Map (first of CAFF Map series)

•The ECORA project

2. Arctic Circumpolar Biodiversity Monitoring

Ozone depletion, and climate change are recognized as widespread threats to the Arctic. CAFF focuses on strengthening biodiversity monitoring as a basis for assessments, for understanding Arctic ecosystems, and for evaluating the need for nature protection.

CAFF Recommendations:

CAFF recommends that the Arctic States in collaboration with indigenous people and communities, other Arctic residents, and stakeholders:

•Promote activities that identify and classify Arctic species and ecological processes to better understand Arctic ecosystems.

•Build on national and international work to implement a program to monitor biodiversity at the circumpolar level that will allow for regional assessments, integration with other environmental monitoring programs, and comparison of the Arctic with other regions of the globe.

•Assess the interaction between global changes and Arctic biodiversity, and develop strategies to address negative impacts.

•CAFF Activities and Future Efforts, focus on implementing the Arctic circumpolar biodiversity monitoring project

•Submit another and broader proposal to EU and other funders in 2003, with Iceland taking the lead role.

•Coordinate the CAFF biodiversity monitoring program with the AMAP contaminants monitoring program and other global monitoring initiatives to support ACIA and other assessments.
•Work with Permanent Participants and the United States to scope a process to gather and incorporate traditional knowledge for the use and conservation of arctic plants.

3. Engaging Society and Capacity Building

Engage society in conservation is to promote education and to provide better access to information for the public and decisionmakers about the Arctic environment, its biodiversity, and the relationship that humans have with it.

Publications such as *Arctic Pollution Issues: A State of the Arctic Environment Report* (AMAP 1997) and *Arctic Flora and Fauna: Status and Conservation* (CAFF 2001) have been significant contributions to this effort.

The Arctic Bulletin, published by the WWF Arctic Programme, provides continuous information on Arctic conservation and protection activities and issues.

Other newsletters, websites, and specialized reports have been published as a result of Arctic Council conservation activities.

The Nordic Council has *The Nordic Plan to Protect the Natural Environment and Cultural Heritage of the Arctic--Greenland, Iceland and Svalbard*, which has been coordinated with Arctic Council and CAFF work. In addition to this, the active participation of indigenous people and local communities in conservation work is essential to foster better communication, understanding, and coordination between researchers, managers, and resource users. Further development of Arctic protocols for international programs, such as the Globe Learning Program and similar community- and school-based environmental programs, should be encouraged.

CAFF Recommendations:

•CAFF recommends that the Arctic States in collaboration with indigenous people and communities, other Arctic residents, and stakeholders:

•Document and incorporate into decision-making the full range of values of Arctic natural resources.

•Promote formal and public education, including outreach to non-Arctic countries, on the values, conservation, and sustainable use of Arctic natural resources.

•Encourage the participation of Arctic indigenous people, local communities, and schools in conserving and monitoring of Arctic species and ecosystems.

CAFF Activities:

•CAFF collaboration with other Arctic Council working groups and Permanent Participants, and engaging the broader society

•CAFF cooperation with other Arctic Council working groups to incorporates CAFF's expertise for Arctic species and biodiversity conservation. Coordinate the CAFF biodiversity monitoring program with the AMAP contaminants monitoring program.

•CAFF participation in ACIA reports. In cooperation with AMAP, lead in the preparation of the ACIA Policy Document.

•ECORA project in Russia. Complete detailed project planning and begin implementation of the main phase of ECORA, subject to confirmation of funds from the Global Environmental Facility

•Continuing efforts with RAIPON and IPS for Sacred Sites project and Sacred Sites reports in English and Russian. In future, this includes a circumpolar workshop and technical report on outcomes and recommendations on the project. This project is, in CAFF's viewpoint, an example of capacity building at its best.

E. Meetings

CAFF meets in plenary every 2 years. CAFF held its ninth plenary meeting in Abisko, Sweden, August 27-30, 2002. It was preceded by a one day meeting of the CAFF Circumpolar Protected Area Network (CPAN) Standing Committee. The United States is now serving as the CAFF Chair and will hold the 2004 meeting of CAFF in Alaska. The National Representatives to CAFF meet on an approximately every 6-month basis to address administrative and organizational matters. The meeting is referred to as a CAFF Management Meeting. The next CAFF Management meeting is in March 11-13, 2003, in Gridwood, Alaska.

The next meeting of the CAFF Circumpolar Protected Area Network (CPAN) Standing Committee is tentatively set for Seattle, Washington in late Fall 2003.

The Senior Arctic Officials' meet approximately every six months. The next meeting of SAOs is April 9-10, 2003, in Reykavik, Iceland.

The Third Arctic Council Ministerial Meeting was held October 9-10, 2002, in Inari, Saariselkä, Finland. The Fourth Ministerial Meeting will be held in Iceland in October 2004.

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GLOBAL

Global Environment Facility (GEF)

Basic Instrument

Instrument for the Establishment of the Restructured Global Environment Facility. The Instrument was approved by participating countries in March 1994.

Implementing Legislation

No new implementing legislation needed. U.S. participation in the GEF is dependent on contributions from the Treasury Department to the GEF Trust Fund, through annual appropriations.

Member Nations

Currently 174 countries, including both recipient countries and donors such as the United States, were participants in the GEF. See the GEF website (below) for a complete list.

Secretariat Headquarters

The GEF Secretariat
1818 H Street, NW
Washington D.C. 20433
Telephone: (202) 473-0508
Fax: (202) 522-3240 or 522-3245
Web Site: http://www.gefweb.org/

GEF Chief Executive Officer and Chairman: Mohamed T. El-Ashry

Budget

In 1998, 36 nations including the United States, pledged US$2.75 billion to the second replenishment of the restructured GEF (GEF-2; 1999-2002). The United States pledged the largest amount, $430 million to be contributed over several fiscal years. Current U.S. contributions to the GEF come from the Department of the Treasury. Contributions to the GEF are meant to be "new and additional," i.e., over-and-above existing official development assistance. Between 1991 and 1999, the GEF invested over $2.5 billion in environment projects. Replenishment negotiations for GEF-3 were scheduled to be completed in December 2001.

U.S. Representation

The Department of the Treasury has the lead for the U.S. Government.

Council Member

William E. Schuerch
Deputy Assistant Secretary
U.S. Department of Treasury
1500 Penn. Ave., N.W., Room 3222
Washington, D.C. 20220

Alternate Member

Jeffrey Burnam
Deputy Assistant for Environment
Bureau of Oceans and International Environmental and Scientific Affairs
US Dept. of State
Washington, D.C.

NOAA has consistently played an important advisory role at both the policy and project level. The NOAA International Liaison Staff has had the lead on GEF issues for NOAA.

Description

A. Mission/Purpose:

The GEF is the primary multilateral financial mechanism to protect the global environment through projects and programs in four focal areas: conserving biological diversity, mitigating climate change, reducing pollution of international waters, and phasing out the production and use of stratospheric ozone depleting substances (in countries not covered by the Montreal Protocol Fund). The GEF provides grants and concessional funding to recipient countries (developing countries and countries with economies in transition) to cover the incremental costs to achieve global environment benefits in the focal areas. The GEF operates the financial mechanisms for the U.N. Framework Convention on Climate Change and the Convention on Biological Diversity. GEF projects must be country driven, incorporate consultation with local communities and, where appropriate, involve non-governmental organizations in project implementation.

B. Organizational Structure:

The GEF is governed by a 32 member GEF Council representing constituencies of over 160 donor and recipient country governments. The GEF Council meets at least twice a year to review and approve the work programs, policies, and administration of the GEF. The United States has one of the seats on the Council. A universal GEF Assembly meets approximately every three years. The first meeting of the Assembly occurred in 1998.

GEF projects and programs are managed through three implementing agencies: the World Bank, the United Nations Development Programme (UNDP), and the United Nations Environment Programme (UNEP). The World Bank and UNDP manage the lion's share of the projects. The GEF Secretariat, which is functionally independent from the three implementing agencies, reports to and services the Council and Assembly of the GEF. A Scientific and Technical Advisory Panel, convened by UNEP, provides advice on technical issues at the request of the Council and manages a roster of experts that provides technical reviews of individual projects.

C. Programs:

The GEF was created as a multilateral mechanism to fund the incremental costs of achieving global environmental benefits in developing countries and countries with economies in transition. In particular, it was designed to fund agreements expected to be achieved at the 1992 U.N. Conference on Environment and Development in Rio de Janeiro, Brazil. It began as a three-year pilot-phase Facility in 1991. During the Pilot Phase, the United States did not contribute directly to the GEF core fund, but instead pledged and funded $150 million in "parallel-financed" GEF projects funded and managed by the U.S. Agency for International Development.

The Facility was restructured and replenished with over US$2 billion in 1994 (GEF-1), to cover the agreed incremental costs of activities that benefit the global environment in four focal areas: climate change; biological

diversity; international waters; and stratospheric ozone. Both the Framework Convention on Climate Change and the Convention on Biological Diversity have designated the GEF as their funding mechanism on an interim basis. The second replenishment (GEF-2) was completed in early 1998.

Countries may be eligible for GEF funds in one of two ways: (1) if they are eligible for financial assistance through the financial mechanism of either the Framework Convention on Climate Change or the Convention on Biological Diversity; or (2) if they are eligible to borrow from the World Bank or receive technical assistance grants from UNDP through a Country Program. A country must be a party to the Climate Change Convention or the Convention of Biological Diversity to receive funds from the GEF in those focal areas. GEF projects must be country driven, incorporate consultation with local communities and, where appropriate, involve non-governmental organizations in project implementation.

To date, the GEF has approved proposals more than 700 projects in 125 countries, totaling over $2.5 billion in GEF financing. Between 1991 and 1999, GEF allocated $991 million in grants and mobilized and additional $1.5 billion in co-financing (from recipient countries, bilateral agencies, other development institutions, the private sector, and nongovernmental organizations) for biological diversity projects. During the same period GEF allocated $884 million to 227 climate change projects and enabling activities, which was matched by more than $4.7 billion in co-financing; and nearly $360 million to international waters initiatives.

Marine Issues: Marine projects of interest to NMFS may be funded under either the biodiversity focal area or the international waters focal area. Coastal, marine, and freshwater ecosystems represent one of four operational programs in the biodiversity focal area. The objective of the program is the conservation and sustainable use of biological resources in these ecosystems. The GEF has recently funded several World bank projects in developing countries specifically related to marine fisheries, and will play a key role in the World Bank's Sustainable Fisheries Forum. The GEF is showing increasing flexibility and breaking new ground both in types of projects and as a coordination mechanism among U.N., bilateral, and multilateral development bank assistance mechanisms. NOAA has only begun to utilize the many opportunities for collaboration and leverage that the GEF provides.

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International Council for the Exploration of the Sea (ICES)

Basic Instrument

The Council was established by an exchange of letters on July 22, 1902, in Copenhagen, Denmark, with eight country representatives in attendance (Denmark, Germany, Norway, Russia, Finland, the Netherlands, Sweden, and the United Kingdom of Great Britain). The United States joined the Council on July 22, 1912. From 1902 until 1964, the Council operated in a kind of "gentlemen's agreement" fashion. Then, on September 12, 1964, the Council membership concluded the Convention for the International Council for the Exploration of the Sea, 1964 (TIAS 7628), giving it true and full international status. The Convention fixed the seat of the Council at Copenhagen and, by the end of 1967, all Contracting Parties had ratified the Convention, which came into force on July 22, 1968.

Member Nations

Belgium, Canada, Denmark, Estonia, Finland, France, Germany, Iceland, Ireland, Latvia, Netherlands, Norway, Poland, Portugal, Russia, Spain, Sweden, United Kingdom of Great Britain, and the United States of America.

Council Headquarters

International Council for the Exploration of the Sea
Palaegade 2-4 DK-1261
Copenhagen K, Denmark

General Secretary: Mr. David de G. Griffith
Telephone: (45) 33 154225, 33 157092 (General Secretary)
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Budget

The ICES annual budget is approximately $3.5 million. The U.S. contribution paid by the Department of State for the year 2002 was $124,083.58.

U.S. Representation

A. Process:

NMFS, through NOAA and DOC, and the National Science Foundation provide the Department of State with recommendations for the U.S. representatives (delegates and advisors) to the annual meeting.

B. U.S. Representation:

Both U.S./ICES Delegates participated in the 2001 Annual Science Conference/89th Statutory Meeting, held in Oslo, Norway, on September 23-October 3 (the Annual Science Conference was held on September 26-29 only). They are:

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Silver Spring, MD 20910-3282
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C. Committees and Working Groups:

U.S. representation in ICES has no formal (legislated) advisory structure. During 2001-2002, the United States has 2 members on each of the 7 scientific committees (Oceanography, Marine Habitat, Living Resources, Resource Management, Fisheries Technology, Mariculture, Baltic), 1member on each of the 3 advisory committees (Fisheries Management, Marine Environment, Ecosystems), 2 members on the Consultative Committee (Chairmen of the Mariculture and Baltic Committees), and a number of members on more than 60 working/study/planning groups.

Description

A. Mission/Purpose:

ICES is the oldest intergovernmental organization in the world concerned with marine and fishery science. It is the premier body for giving advice, on the international level, on scientific and policy matters relating to fisheries, pollution, ecosystems, and other marine environmental issues, as well as a scientific forum for the exchange of information and ideas on the sea and its living resources, and for the promotion and coordination of research.

The fundamental purposes of ICES outlined in the ICES Convention are: to promote and encourage research and investigation for the study of the sea particularly related to the living resources thereof; to draw up programs required for this purpose and to organize, in agreement with the Contracting Parties, such research and investigations as may appear necessary; and, to publish or otherwise disseminate the results of research and investigations carried out under its auspices or to encourage the publication thereof.

The ICES mission is to advance the scientific capacity to give advice on human activities affecting, and affected by, marine ecosystems. The mission calls for: effective arrangements to provide scientific advice; informing interested parties and the public objectively and effectively about marine ecosystem issues; coordinating and enhancing physical, chemical, biological, and interdisciplinary research; partnerships with other organizations that share a common interest; developing and maintaining accessible marine data bases.

B. Organizational Structure:

The Council, the ultimate governing body, consists of the President, who presides at all meetings of the Council and the Bureau, and two Delegates from each participating country. The Bureau, the executive body of the Council, meets intersessionally and consists of the President, a First Vice President and five Vice Presidents elected from the delegates, each for a 3-year term. On completion of his term of office a member of the Bureau is not eligible for re-election to the same office for the succeeding term.

ICES does most of its work through three Advisory Committees (Fishery Management, Marine Environment, Ecosystems) and seven Standing Committees (Oceanography, Marine Habitat, Living Resources, Resource Management, Fisheries Technology, Mariculture, Baltic). The chairmen of these Committees constitute the

Consultative Committee, whose chairman is elected by the committee, but not necessarily from its members. Responsibility for oversight of the production of scientific advice rests with the Management Committee for the Advisory Process which assigns advisory tasks to the three advisory committees.

The chief executive officer of the Council is the General Secretary, who is responsible to the Bureau for the management of the Council's staff and office. He is appointed by the Council on the advice of the Bureau.

Recent Activities

The 2001 Annual Science Conference (ASC) and 89th Statutory Meeting of ICES were held in Oslo, Norway, on September 23-October 3, 2001. There were approximately 500 registered participants at the Annual Science Conference (September 26-29).

Highlights of the 2001 ASC:

1. Crown Prince Haakon of Norway opened the meetings and welcomed delegates and scientific participants to Norway.

2. The opening lecture was given by Ambassador Thorvald Stoltenberg of Norway. His theme was "Our common future: a political perspective on the oceans and related issues."

3. There were two invited lectures: "Ecosystem studies and fisheries management: the Bengula experience" by Coleen Moloney of South Africa; and "Fisheries management from an ecosystem perspective: how can we get there from here" by Stephen Hall of Australia.

4. There were 12 theme session topics during the Annual Science Conference, including: "The life history, dynamics, and exploitation of living marine resources: advances in knowledge and methodology," "The response of Cephalopod populations and fisheries to changing environments and ecosystems," "Ecosystem changes in the Baltic," "Application of mark-recapture experiments to stock assessments," and "Use and information content of ecosystem metrics and reference points."

5. After 3 years of preparation, a Strategic Plan for ICES was adopted by the delegates. The plan is based on the theme of ICES being built on two pillars: scientific information and scientific advice. In this regard, ICES is unique as an independent (relative to resource and ecosystem management mandates) scientific organization dedicated to advancing the scientific capability to give advice, with "customers that fund ICES for the preparation of advice. Customer "pull" assures that ICES scientific programs are relevant. Independence allows ICES to make long term strategic investments in research, and it enhances the credibility scientific advisor.

6. ICES continues to struggle with its budget as a result of pressures to give more scientific advice, and more comprehensive advice on ecosystem issues. Also, increases in national contributions to ICES have been limited to the rate of inflation in Denmark, whereas the actual increase in the cost for staff (which is most of the budget) is greater than the rate of inflation because of longevity related increases compensation built into the UN pay system (which ICES uses). This year, ICES had to decide between two options: increase national contributions by about twice the rate of inflation, or to use some of the interest income ICES receives on its working funds and its cash reserve to pay some running expenses. It decided on the latter. However, this is only a short term solution. In the future, either national contributions must be increased at a rate greater than inflation, customers of ICES's advice must pay more, or staff must be reduced.

7. Peru joined Australia, New Zealand, South Africa, Chile and Greece as an observer member of ICES. Recent interest in ICES by countries from outside of the North Atlantic is a tribute to the quality and relevance of scientific program of ICES.

8. Mr. Ichiro Nomura, Assistant Director General for Fisheries, FAO addressed the Council. He was invited by ICES in an effort to enhance cooperation between ICES and FAO. Discussions with Mr. Nomura were very positive.

9. The Rules of Procedure were updated to reflect several organizational changes in recent years. These were primarily "housekeeping" changes.

Leadership

A U.S. scientist, Dr. Michael Sissenwine is First Vice President (by tradition, President-Elect). Other U.S. scientists chair two committees, the Mariculture Committee and the Baltic Committee, and several working/study groups.
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Future Meetings

1. The next Annual Science Conference will be held on October 1-5, 2002, in Copenhagen, Denmark; the Statutory Meeting of ICES will follow through September 9. This will be the Centennial celebration of ICES. There will be a Centennial Day on October 4 with participation of the royal family of Denmark. The Government of Denmark also anticipates negotiating a high level political declaration of support for international cooperation in marine research, to be adopted at the Centennial day event. A scholarly history of ICES, accepted for publication by the University of Washington Press, will also be distributed at the Centennial celebration.

2. ICES plans to hold 96 group meetings at different locations in Europe and North America before the 2002 Annual Science Conference (scientific working, planning, and study groups and workshops) , and 11 groups will work by correspondence.

3. The 2003 and 2004 ASCs and Statutory Meetings will be held in Tallin, Estonia, and Vigo, Spain, respectively.

4. Upcoming symposia include:

(A) Acoustics in fisheries and aquatic ecology, June 10-14, 2002, Montpellier, France
(B) Role of zooplankton in global ecosystem dynamics: comparative studies from world oceans, Spring 2003, in Europe
(C) Precautionary approach to fisheries management - lessons learned and future directions, September 2004, Valparaiso, Chile
(D) Influence of climate change on North Atlantic fisheries, 2004, Bergen, Norway

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Joint FAO/WHO International Codex Alimentarius Food Standards Program

Basic Instrument

The Codex Food Standards Program was established in 1962 when FAO and WHO recognized the need for international standards to protect the health of consumers and facilitate trade among member nations. The Codex Alimentarius Commission (CAC) is charged with developing food standards for adoption and use by member countries. These international food standards are contained in 14 volumes that have been adopted by the CAC. The purpose of these standards is to protect the health of consumers and facilitate fair practices in food trade. These texts are in the form of Specific Food Standards, Codes of Practice and Recommendations. The CAC includes provisions for food hygiene, food additives, pesticide residues, contaminants, labeling and presentation and methods of analysis and sampling.

Member Nations

Albania, Algeria, Angola, Antigua, Argentina, Armenia, Australia, Austria, Bahrain, Bangladesh, Barbados, Barbuda, Belgium, Belize, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Democratic Republic of Congo, Republic of Costa Rica, Cote D'IVOIRE, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Islamic Republic of Iran, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Laos, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Malta, Mauritania, Mauritius, Mexico, Micronesia Federated States, Moldova, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Sultanate of, Pakistan, Panama, Papua New Guinea, Paraguay, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovak Republic, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syria, Tanzania, Thailand, The Former Yugoslav Republic of Macedonia, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom, United States of America, Uruguay, Vanuatu, Venezuela, Vietnam, Yemen, Zambia, and Zimbabwe.

Non-member Country

Bahamas

Commission Headquarters

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E-Mail: Codex @ FAO.ORG
WEB Site: www.fao.org/waicent/faoinfo/economic/esn/CODEX

Budget

The total budget for the Codex Program is $5.7KK. Seventy-five percent is contributed from FAO and 25% is contributed from WHO.

Organizational Structure

The Program is operated by an International Commission through an Executive Committee and has various subsidiary bodies. Subsidiary bodies or Committees are both vertical and horizontal--or cross-cutting in nature. For example, specific food commodity committees such as the Codex Committee on Fish and Fishery Products (CCFFP) would be an example of a vertical committee. The Codex Committee on Food Hygiene (CCFH), which must address the hygienic considerations in all of the outputs of the Codex Alimentarius Program is an example of a horizontal or cross-cutting Committee. Additionally, there are regional Committees that are also cross-cutting in nature which address special needs of specific geographical regions. In addition to member nations, Codex relies on scientific support from three prestigious committees sponsored by other specific United Nations programs. These are the Joint Expert Committee on Food Additives, the Joint Meeting on Pesticide Residues, and the International Consultative Group on Food Irradiation. A fourth expert committee is currently being formed to pass expert judgement on microbiological risk assessments which are offered to the Codex Committee on Food Hygiene. Each member country maintains a country contact point.

U.S. Representation

There are currently 22 different commodity and subject matter committees within Codex. The U.S. delegate is nominated by the U.S. Codex Office and affirmed by the Interagency Codex Policy Steering Committee, chaired by the USDA Undersecretary for Food Safety. The Steering Committee consists of: the U.S. Manager for Codex; and administrative appointed senior level policy personnel being the Deputy Commissioner for Policy, Food and Drug Administration; the Assistant Administrator, Office of Prevention, Pesticides, and Toxic Substances, U.S. Environmental Protection Agency; the Assistant Secretary, Marketing and Regulatory Programs, Department of Agriculture; the Undersecretary of Farm and Foreign Agricultural Services, Department of Agriculture; the Special Assistant to the Secretary, Department of Agriculture; the Assistant Administrator for Fisheries, National Marine Fisheries Service; Special Trade Ambassador for Agriculture, Office of the U.S. Trade Representative; the Director of the Office of Agricultural and Textile Trade, Department of State; the Undersecretary, Food, Nutrition and Consumer Services, Department of Agriculture; the Undersecretary of Research, Education, and Economics, Department of Agriculture; and the Vice Chairman, Codex Alimentarius Commission. There is also an interagency technical committee for U.S.A. Codex consisting of career senior level SES executives. The Director of NMFS/Office of Sustainable Fisheries serves on this interagency technical committee. U.S.A. delegates to the Committee meetings are led by the U.S.A. Delegate and are comprised of other governmental and NGO advisors which include academia, industry, state government officials, trade associations, consumer organizations, etc.

Programs

The output products of the Codex Alimentarius Food Standards Program generally relate to four specific areas, for example, (1) the development of General Principles to be followed in the international trade of food commodities, (2) specific Codex Commodity Standards for individual food commodities, or processing requirements, (3) the establishment of Codex Guidelines for specific actions or procedures, and (4) recommended Codes of Hygienic Practice which are similar to our GMP concepts that are to be followed when producing and/or manufacturing specific food commodities. A country's adherence to these Codex outputs provides the country a "safe harborage" in the settlement of GATT disputes by WTO. The Codex Program provides a forum for the world's leading experts to discuss, debate, and reach a scientific consensus on the food safety issues that affect international trade. Further, governmental participation allows access to the world's most current and complete body of scientific food safety information. Without a doubt, Codex has upgraded global food manufacturing practices which have dramatically resulted in improved global consumer protection. Such improvements lessen expensive regulatory efforts for importing countries during a time of shrinking resources. The United States has benefitted substantially from its

participation in Codex. Action of the Codex Alimentarius Program can greatly influence world regulatory food control activities since Codex work products represent a consensus of opinion on regulatory issues by the more than 140 member countries that in turn represent more than 97 percent of world's population.

Recent Activities

Since Codex was established in 1962, its commodity committees have published more than 200 commodity standards, including those for various types of processed fruits and vegetables; meat and fish products; cereals, pulses, and legumes; fats and oils; milk and milk products; soups and broths; and foods for special dietary uses. In addition to Codex standards, there are more than 35 Guidelines and Codes of Practice for food production and processing which have been prepared by the general subject committees. Historically, the U.S.A. has a low rate of acceptance of Codex Standards. To date the United States has accepted 981 pesticide standards and it has taken a position on about 70 commodity standards accepting most with specified deviations. The low rate of acceptances of Codex standards is generally not a result of specific health concerns, but rather due to the current regulatory workload's forcing regulatory agencies to give Codex a reduced priority. This low priority is changing as a result of the increasing recognition in U.S. agencies on the role Codex can play in mitigating WTO disputes.

Codex has recently standardized the Hazard Analysis Critical Control Point (HACCP) Food Inspection Program. Likewise it has enumerated the General Principles and Guidelines for the Conduct of Microbiological Risk Assessments as well as for the Application of Microbiological Criteria for Foods. It has developed numerous Standards and Codes of Practice for various fishery products and other foodstuffs.

The current "hot" topics being debated by the Codex include defining Acceptable Levels of Protection (ALOP) and Food Safety Objectives (FSO); procedures for judgement of equivalency of control measures for food safety and possible Technical Barriers to Trade (TBT); regulatory approaches among and between different country food inspection and certification systems; the use of "precautionary approaches" in Risk Management decision making; providing for General Principles and Guidelines for use in conducting Microbiological Risk Management; and the labeling of biotech-derived foods. All of these issues have, or will have, relevance to similar fishery management debates, (although in a different context and domain) expected to be carried out by ICCAT and other regional fishery bodies.

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PART IV. OTHER INTERNATIONAL ARRANGEMENTS OF INTEREST

Asia Pacific Economic Cooperation (APEC)

APEC was established in 1989 to promote open trade and economic cooperation among economies around the Pacific Rim, and, under APEC, the Fisheries Working Group (FWG) was formed in 1991. The FWG meets annually, and deliberates on a broad range of living marine resource issues and specific project proposals. The 21 APEC Economies are invited to these FWG meetings. In recent years, the FWG has concentrated in the areas of management; trade and marketing; seafood inspection training; aquaculture; and various environmental issues.

The 14th meeting of the FWG was to take place June 9-12, 2003, in Hanoi, Vietnam. This meeting has been postponed and a new date/location has not been set.

Web address: http://www.apecsec.org.sg/

Asia-Pacific Fishery Commission (APFIC)

APFIC was organized in 1948 as the Indo-Pacific Fisheries Council (later, Commission), an FAO regional fishery body. It was redesignated as the Asia-Pacific Fishery Commission in 1993. The functions of the Commission are to promote full and proper utilization of the living aquatic resources of the Asia-Pacific area through the development and management of fishing and aquaculture operations and the development of related processing and marketing activities in conformity with the objectives of its members. It has no regulatory powers.

APFIC operates through an Executive Committee and two subsidiary committees. The Executive Committee consists of a Chairperson, Vice-Chairperson, preceding retired Chairperson, and two members elected by the Commission. Subsidiary committees consist of the Aquaculture and Inland Fisheries Committee and the Committee on Marine Fisheries. There is no standing scientific committee, but the Commission can establish temporary, special, or standing committees and working parties to study and make recommendations on specific technical problems.

The Commission meets at least once every two years unless otherwise called by a majority of the Members. Each member has one vote and decisions are made by simple majority.

The Commission held its 27th Session on September 9-21, 2001, in Manila, Philippines. An official report of the session can be found at ftp://ftp.fao.org/fi/document/apfic/apfic27report.pdf. The 28th Session of APFIC is scheduled to be held in Thailand in 2003.

The APFIC Members are Australia, Bangladesh, Cambodia, China, France, India, Indonesia, Japan, Korea, Malaysia, Myanmar, Nepal, New Zealand, Pakistan, Philippines, Sri Lanka, Thailand, United Kingdom, the United States, and Viet Nam.

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Association of Official Analytical Chemists (AOAC) International

AOAC was founded in 1884 as the Association of Official Agricultural Chemists, under the auspices of the U.S. Department of Agriculture (USDA), to adopt uniform methods of analysis for fertilizers. In the 21st Century AOAC INTERNATIONAL is committed to be a proactive, worldwide provider and facilitator in the development, use, and harmonization of validated analytical methods and laboratory quality assurance programs and services. Also, to serve as the primary resource for timely knowledge exchange, networking, and high-quality laboratory information for its members. To meet these goals, AOAC is focusing very closely on streamlining its methods review process and providing new methods in areas of increasing international interest, such as genetically modified organisms (GMOs) and nutriceuticals. The explosion of international accreditation as a requirement for participation in the global marketplace has given AOAC INTERNATIONAL an opportunity to seize a leadership role in developing criteria for laboratory accreditation.

Commission for Environmental Cooperation (CEC)

The signing of the North American Free Trade Act (NAFTA) in 1993 created the world's largest trading bloc. At the same time, the NAFTA partners (Canada, Mexico, and the United States) sought to build environmental safeguards into the trade liberalization pact and signed the North American Agreement on the Environmental Cooperation, creating the North American Commission for Environmental Cooperation (CEC). The CEC funds projects in four major areas: 1) Trade and the Environment; 2) Conservation of Biodiversity; 3) Pollutants and Health; and 4) Law and Policy. Projects focus on the protection of the North American environment, and therefore trilateral environmental problems, issues and cooperation are given priority in funding. The CEC biodiversity work program is increasingly addressing the marine environment.

The 10th Regular Session of the Council of the CEC and other concurrent events will be held from 23-25 June 2003, in Washington, DC.

Headquarters

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Commission for Sustainable Development (CSD)

The CSD was established as a functional commission of the UN Economic and Social Council by Council decision 1993/207. Its functions are set out in General Assembly resolution 47/191 of December 22, 1992. The Commission is composed of 53 members elected for terms of office of 3 years.

One of the main purposes of the Commission is to review progress at the international, regional, and national levels in the implementation of recommendations and commitments contained in the final documents of the 1992 United Nations Conference on Environment and Development (UNCED), namely Agenda 21; the Rio Declaration on Environment and Development; and the Non-legally Binding Authoritative Statement of Principles for a Global Consensus on the Management, Conservation and Sustainable Development of All Types of Forests (also known as the Forest Principles).

The CSD holds meetings annually in New York and reviews documents and resolutions that address, inter alia, various global fishery issues in light of the charges in the 1992 Rio declarations. It provides a convenient barometer for gauging opinions in the United Nations on global fishery and living marine resource issues. While the 8th Session of the CSD, held in April 2000, did not focus on fisheries or marine issues, the open-ended informal consultative process on Ocean Affairs, formed under the CSD, held an international panel discussion on Illegal, Unregulated and Unreported Fisheries on May 30-June 2, 2000.

Web address: http://www.un.org/esa/sustdev/csd.htm

Convention on the Conservation and Management of Fishery Resources in the Southeast Atlantic Ocean (SEAFO)

A Convention to establish a new regional fisheries conservation and management organization for the Southeast Atlantic Ocean, the Southeast Atlantic Fisheries Organization (SEAFO), has been negotiated. When it comes into force, SEAFO will manage fishery resources on the high seas of the Southeast Atlantic Ocean, but not those under national jurisdiction, nor highly migratory species. The text of the convention was adopted in November 2000 and signed on April 20, 2001, in Windhoek, Namibia.

Web addrress: http://www.fao.org/fi/body/rfb/SEAFO/seafo_home.htm

Coral Disease and Health Consortium (CDHC)

The National Oceanic Atmospheric Administration (NOAA), the Environmental Protection Agency (EPA), and the Department of Interior (DOI) developed the framework for the CDHC for the United States Coral Reef Task Force through an interagency effort in March 2000. The Coral Reef Task Force was established by Executive Order in June 1998 (Executive Order 13089 on the Protection of Coral Reefs) to help preserve and protect the biodiversity, health, heritage, and social and economic value of U.S. coral reef ecosystems. The purpose of the CDHC is to organize and coordinate the scientific resources of the United States and its territories to document the condition of coral reef ecosystems, determine causes of declines in coral reef health, and provide technical information and assistance to managers and scientists regarding coral reef health. These objectives will be achieved by integrating three functional disciplines, specifically Clinical Pathology, Health Assessment, and Risk Assessment and Management. Development of the CDHC framework already has fostered national and international partnerships in coral disease research, education, and outreach activities. For example, NOAA has developed waterproof coral

disease identification cards for improved disease monitoring. NOAA has also partnered with the World Conservation Monitoring Center to create the first global coral disease database. In addition, a new video production will highlight examples of coral bleaching and disease, research on the effects of stress on corals, and standardization of histological methodologies. The CDHC aims to significantly enhance current assessments of coral ecosystem health, improve the effectiveness of management decisions by providing early warning of disease and disease outbreaks, identify putative causative factors and possible prevention and mitigation strategies, and offer managers viable risk management options. The NMFS Office of Protected Resources is focused on coral disease epizootiology (distribution, abundance and impacts of diseases and bleaching), effects of diseases and bleaching on Candidate Species for the ESA, and management of coral diseases.

Website address: (if available) www.coralreef.gov

Fishery Committee for the Eastern Central Atlantic (CECAF)

CECAF is the FAO regional fishery body for the Eastern Central Atlantic. It is organized to promote programs of development for the rational utilization of fishery resources; assist in establishing bases for regulatory measures; and encourage training. It operates through a Main Committee and a Scientific Subcommittee. The Scientific Subcommittee exists to provide scientific advice to the Committee.

The CECAF Members are Benin, Cameroon, Cape Verde, Congo (Democratic Republic of), Congo (Republic of), Cöte d'Ivoire, Cuba, Equatorial Guinea, European Community, France, Gabon, Gambia, Ghana, Greece, Guinea, Guinea-Bissau, Italy, Japan, Korea, Liberia, Mauritania, Morocco, Netherlands, Nigeria, Norway, Poland, Romania, Sao Tome and Principe, Senegal, Sierra Leone, Spain, Togo, and the United States.

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Food and Agriculture Organization of the United Nations (FAO) Committee on Fisheries (COFI)

The Food and Agriculture Organization (FAO) was founded in October 1945 with a mandate to raise levels of nutrition and standards of living, to improve agricultural productivity, and to better the condition of rural populations. Today, FAO is the largest autonomous agency within the United Nations system, with 175 Member Nations plus the EC (Member Organization) and more than 1,500 professional staff.

The Organization offers direct development assistance, collects, analyses, and disseminates information, provides policy and planning advice to governments and acts as an international forum for debate on food and agriculture issues. FAO is active in land and water development, plant and animal production, forestry, fisheries, economic and social policy, investment, nutrition, food standards and commodities and trade. It also plays a major role in dealing with food and agricultural emergencies. A specific priority of the Organization is encouraging sustainable

agriculture and rural development, a long-term strategy for the conservation and management of natural resources. It aims to meet the needs of both present and future generations through programs that do not degrade the environment and are technically appropriate, economically viable, and socially acceptable.

FAO is governed by the Conference of Member Nations, which meets every 2 years to review the work carried out by the organization and approve a Program of Work and Budget for the next biennium. The Conference elects a Council of 49 Member Nations to act as an interim governing body. Members serve 3-year, rotating terms. The Conference also elects a Director-General to head the agency. The current Director-General, Jacques Diouf, began a second 6-year term in January 2000.

The Organization's work falls into two categories. The Regular Program covers internal operations, including the maintenance of staff who provide support for field work, advise governments on policy and planning and service a wide range of development needs. It is financed by Member Nations, who contribute according to levels set by the Conference. The Field Program implements FAO's development strategies and provides assistance to governments and rural communities. Projects are usually undertaken in cooperation with national governments and other agencies. More than 60 percent of Field Program finances come from national trust funds and early a quarter is provided by the United Nations Development Program. FAO contributes through its Technical Cooperation Program (TCP).

A proposed $44,491,000 has been budgeted in 2004-2005 for FAO's Program of Work for the Fisheries Department. This compares to $40,111,000 allocated for the 2002-2003 Program of Work. This anticipates an 11 percent increase and reflects the preferential treatment given to the fisheries program by FAO. However, this budgeting was formulated under a growth scenario and it is likely that the budget approved by the FAO Council/Conference will be significantly lower, requiring adjustments.

Committee on Fisheries

The Committee on Fisheries (COFI), a subsidiary body of the FAO Council, was established by the FAO Conference at its 13th Session in 1965. The Committee presently constitutes the only global inter-governmental forum where major international fisheries and aquaculture problems and issues are examined and recommendations addressed to governments, regional fishery bodies, NGOs, fishworkers, FAO and international community, periodically on a world-wide basis. COFI has also been used as a forum in which global agreements and non-binding instruments were negotiated.

COFI membership is open to any FAO Member and non-Member eligible to be an observer of the Organization. Representatives of the UN, UN bodies and specialized agencies, regional fishery bodies, international and international non-governmental organizations participate in the debate, but without the right to vote.

The two main functions of COFI are to review the programs of work of FAO in the field of fisheries and aquaculture and their implementation, and to conduct periodic general reviews of fishery and aquaculture problems of an international character and appraise such problems and their possible solutions with a view to concerted action by nations, by FAO, inter-governmental bodies and the civil society. The Committee also reviews specific matters relating to fisheries and aquaculture referred to it by the Council or the Director-General of FAO, or placed by the Committee on its agenda at the request of Members, or the United Nations General Assembly. In its work, the Committee supplements rather than supplants other organizations working in the field of fisheries and aquaculture.

COFI is empowered to establish subcommittees on specific issues. These subsidiary bodies meet in the intersessional period of the parent Committee. COFI has a Sub-Committee on Fish Trade and a newly established Sub-Committee on Aquaculture, and is advised by the FAO Advisory Committee on Fishery Research. The next meeting of the Sub-Committee on Trade is scheduled for February 2004, in Bremen, Germany. The agenda for the meeting will include restrictions on trade in, and the use of, fishmeal for animal feed; harmonization of catch

certification schemes; and cooperation with the Convention on Trade in Endangered Species of Wild Fauna and Flora (CITES). The second meeting of the Sub-Committee on Aquaculture is scheduled for 2004 in Norway.

The Twenty-fifth meeting of COFI was held in Rome in February 2003. The Committee took the following actions:

CITES: Agreed on a drafting whether or not to include the restriction that a "CITES listing of commercially exploited aquatic resources should be limited to exceptional cases only." Work on the MOU will continue in an open-ended informal group requested to convey a text to the COFI Subcommittee on Fish Trade by February 2004. COFI approved Terms of Reference for an ad hoc Advisory panel for the Assessment of Proposals to Amend CITES Appendices I and II. For each listing proposal the Panel would (1) assess the proposal from a scientific perspective in accordance with the CITES biological listing criteria, taking account of the recommendations on the criteria made to CITES by FAO; and (2) comment, as appropriate, on technical aspects of the proposal in relation to biology, ecology, trade and management issues, as well as, to the extent possible, the likely effectiveness for conservation;

IPOAs IUU Fishing and Capacity: Endorsed a proposal that FAO convene a Technical Consultation at FAO headquarters in Rome in early 2004 to review progress and promote the full implementation of the International Plan of Action (IPOA) to Prevent, Deter and Eliminate Illegal, Unregulated and Unreported (IUU) Fishing and the IPOA for the Management of Fishing Capacity;

Subsidies: Agreed that FAO should convene a Technical Consultation on the impacts of subsidies on the sustainability of fisheries. The consultation will be held immediately after the meeting on IUU fishing and fleet overcapacity;

Port States: Endorsed a proposal to convene a Technical Consultation to address substantive issues relating to the role of the port State in combating IUU fishing and principles and guidelines for the establishment of regional memoranda of understanding on port State measures addressing IUU fishing;

Sea Turtles: Agreed that a Technical Consultation on sea turtle interactions and conservation be held in Bangkok in 2004. The meeting will (1) review information on the current status of sea turtle conservation including incidental and direct catches, their impact on populations and other factors affecting the mortality of sea turtles; (2) review the development of new fishing gears and techniques to reduce sea turtle mortality by incidental catches and other techniques to improve sea turtle conservation; (3) produce, if appropriate, guidelines to reduce sea turtle mortality in fishing operations; and (4) consider assistance to Members from developing States for the conservation of sea turtles.

Vessel Monitoring Systems (VMS): Noted Norway's offered to host an FAO Expert Consultation on the standardization of VMS data formats and procedures;

Monitoring, Control and Surveillance: Agreed that FAO should continue to be closely involved with the International Network for Coordination and Cooperation in Fisheries-related Monitoring, Control and Surveillance, including provision of strengthened technical support for, coordination, communication and facilitation of awareness raising among Members;

Status and Trends: Approved the draft Strategy for Improving Information on the Status and Trends of Capture Fisheries and recommended that the FAO Secretariat report back regularly to COFI on its implementation;

Ecosystem Approach to Fisheries: Supported the role of FAO in facilitating the process of adoption of the ecosystem approach to fisheries as agreed during the World Summit on Sustainable Fisheries;

Deep Sea Fisheries: Recommended that deep sea fisheries be included on the agenda of the next session of COFI.

Small-scale Fisheries: Requested that FAO allocate more resources to promote sustainable small scale fisheries.

Priorities for funding: Identified the following priority areas for funding in the 2004-2005 Program of Work: promotion of aquaculture and inland fisheries in food security; strengthening of regional fishery bodies in particular to appropriately assist developing countries in improving their fisheries management; implementation of the Code of Conduct for Responsible Fisheries and related instruments such as International Plans of Action as well as elaboration of technical guidelines; collaboration with CITES; support for sustainable small-scale fisheries and their better inclusion with the formulation of poverty reduction strategies; work on the implementation of the ecosystem approach to fisheries management; implementation of the Strategy for Improving Status and Trends Reporting; and maintaining the Fisheries Library.

Other Action: Additionally, many Members supported convening an experts' consultation to support an FAO effort to develop guidelines on eco-labeling. During the meeting Canada announced its intention to convene an international conference in 2004 or 2005 to encourage ratification of or accession to the UN Fish Stocks Agreement, review its implementation and prepare for the Review Conference mandated by the Agreement. Japan announced that was creating a trust Fund for Aquaculture Development.

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Global Ocean Ecosystem Dynamics (GLOBEC)

GLOBEC (Global Ocean Ecosystem Dynamics) was initiated by SCOR and the IOC of UNESCO in 1991 in response to the recommendations of a joint workshop which identified a need to understand how global change will affect the abundance, diversity and productivity of marine populations comprising a major component of oceanic ecosystems. GLOBEC is primarily focused on zooplankton, the assemblage of herbivorous grazers on the

phytoplankton, and the primary carnivores that prey on them. Both groups are the most important prey for larval and juvenile fish.

The aim of GLOBEC is to advance understanding of the structure and functioning of the global ocean ecosystem, its major subsystems, and its response to physical forcing so that a capability can be developed to forecast the responses of the marine ecosystem to global change. GLOBEC has four primary objectives: (1) to better understand how multiscale physical environmental processes force large-scale changes in marine ecosystems; (2) to determine the relationships between structure and dynamics in a variety of oceanic systems which typify significant components of the global ocean ecosystem, with emphasis on trophodynamic pathways, their variability and the role of nutrition quality in the food web; (3) to determine the impacts of global change on stock dynamics using coupled physical, biological and chemical models linked to appropriate observation systems and to develop the capability to predict future impacts; and (4) to determine how changing marine ecosystems will affect the global earth system by identifying and quantifying feedback mechanisms.

GLOBEC consists of four cross cutting research foci, four regional programmes, and national program activities.

Web address: http://www.pml.ac.uk/globec/

Global Ocean Observing System (GOOS)

GOOS is an internationally coordinated system for systematic operational data collection (measurements), data analysis, exchange of data and data products, and technology development and transfer. The objective of GOOS is to ensure the establishment of a permanent system of global and systematic observations adequate for forecasting climate variability and change; for assessing the health or the state of the marine environment and its resources, including the coastal zone; and for supporting an improved decision-making and management process, which takes into account potential natural and man-made changes in the environment and their effects on human health and marine resources. GOOS is coordinated by the Intergovernmental Oceanographic Commission (IOC) headquartered in Paris, France. Four GOOS design panels (Coastal, Living Marine Resources, Health of the Oceans, and Climate) are in the process of identifying the observations and resources required to meet GOOS objectives.

Web address: http://ioc.unesco.org/goos/goos.htm

Gulf of Maine Council (GOMC)

The GOMC was established in the late 1980's and consists of the states and provinces bordering the Gulf of Maine. The Council's primary goals are to restore shellfish habitat, promote restoration of fishery resources, address ecosystem and public health effects of toxics in the marine food chain, protect and restore regionally significant coastal habitats, and reduce marine debris and prevent whale entanglements. Federal partners from both the United States and Canada are traditional, long-standing non-voting members on the GOMC. The NOAA Fisheries representative is the Northeast Regional Administrator.

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Indian Ocean Tuna Commission (IOTC)

The Agreement for the Establishment of the IOTC was approved at the 27th Session of the FAO Conference and adopted by the Council at its 105th Session in November 1993. The Agreement entered into force with receipt of the 10th instrument of acceptance on March 27, 1996. The aim of the IOTC is to promote cooperation among its members with a view to ensuring, through appropriate management, the conservation and optimum utilization of fish stocks covered by the Agreement and to encourage sustainable development of fisheries based on such stocks.

The main functions of the IOTC are, among other things: (a) to review the conditions and trends of the stocks and to gather, analyze, and disseminate scientific information, catch and effort statistics, and other relevant data; (b) to encourage, recommend, and coordinate research and development activities in respect of the stocks and fisheries covered by the Agreement; and (c) to keep under review the economic and social aspects of the fisheries based on the stocks covered by the Agreement. In order to achieve these ends, the Commission may, by a two-thirds majority, adopt, on the basis of scientific evidence, conservation and management measures to ensure the conservation and optimum utilization of the stocks covered by the Agreement.

The Commission is the main decision-making body and is composed of all Members. There is also a Scientific Committee which advises the Commission (and any sub-commissions which may be established) on research and data collection, status of stocks, and management issues. Four Working Parties--Data Collection and Statistics, Tropical Tunas, Neritic Tunas and Billfishes, and Temperate Tunas--report to the Scientific Committee

The members are Australia, Eritrea, European Community, France, India, Japan, Republic of Korea, Madagascar, Mauritius, Pakistan, Seychelles, Sri Lanka, Sudan, Thailand, and the United Kingdom.

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Intergovernmental Panel on Climate Change (IPCC)

The IPCC was established by the World Meteorological Organization (WMO) and the United Nations Environment Programme (UNEP) in 1988 to provide an authoritative statement of scientific opinion on climate change. Several hundred scientific experts serve on three Working Groups and a Task Force. Their work has been broadly peer-reviewed and subjected to full governmental reviews. Working Group I deals with the science of climate change. Working Group II deals with impacts and response strategies. Working Group III deals with broad

socioeconomic issues, such as the costs and benefits of global mitigation efforts in energy, forestry and agriculture. The Task Force on National Greenhouse Gas Inventories oversees the National Greenhouse Gas Inventories Programme. The IPCC does not carry out new research, nor does it monitor climate-related data. It bases its assessment mainly on published and peer-reviewed scientific technical literature.

All of the significant fisheries materials are included in the 1995 Working Group II reports. The National Marine Fisheries Service (NMFS) Office of Science and Technology had significant roles in Working Group II, including the designation as Co-Convening Lead Author for the Polar Regions report, which was completed and published as a special areas report of the IPCC. The current IPCC effort is being developed as a regional assessment. NMFS was a reviewer of the regional sections to ensure that fishery interests were adequately addressed for each region.

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International Oceanographic Commission (IOC)

The Intergovernmental Oceanographic Commission (IOC) of UNESCO was founded in 1960. The work of the IOC has focused on promoting marine scientific investigations and related ocean services, with a view to learning more about the nature and resources of the oceans. The IOC focuses on four major themes: (1) develop, promote and facilitate international oceanographic research programs to improve understanding of critical global and regional ocean processes and their relationship to the sustainable development and stewardship of ocean resources; (2) ensure effective planning, establishment and coordination of an operational global ocean observing system to provide the information needed for oceanic and atmospheric forecasting, for oceans and coastal zone management by coastal nations, and for global environmental change research; (3) provide international leadership for education and training program and technical assistance essential for systematic observations of the global ocean and its coastal zone and related research; and (4) ensure that ocean data and information obtained through research, observation and monitoring are efficiently handled and made widely available.

The United States is supporting the Ocean Science in Relation to Living Resources (OSLR) program of the IOC, which includes support for the Global Ecosystem Dynamics (GLOBEC) and Small Pelagic Fishes and Climate Change (SPACC) programs, Large Marine Ecosystems (LMEs), Harmful Algal Blooms (HAB), the Global Coral Reef Monitoring Network (GCRMN), and the Living Marine Resources Module of the Global Ocean Observing System (LMR GOOS). The (GLOBEC) Science Plan has been finalized and an implementation plan is being developed.

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IOC Sub-Commission for the Caribbean and Adjacent Regions (IOCARIBE)

IOCARIBE is a Sub-Commission of the Intergovernmental Oceanographic Commission (IOC) of UNESCO. It is the first of its kind and was established on the basis of very promising experiences gained from previous cooperative programs in the Caribbean and Adjacent Regions. The aim of IOCARIBE is the same as that of the IOC--to promote marine scientific investigations and technology and related ocean services with a view to learning more about the nature and resources of the oceans through the concerted action of IOCARIBE Members States.

IOCARIBE Members are Antigua and Barbuda, Bahamas, Barbados, Belize, Colombia, Costa Rica, Cuba, Dominica, Dominican Republic, France (French Guiana, Grenada, Guadeloupe, Martinique, St Barthelemy, and St. Martin), Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, the Netherlands (Aruba), Netherlands Antilles (Bonaire, Curacao, Saba, Sint Eustatius, and Sint Maarten), Nicaragua, Panama, Russia, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, Surinam, Trinidad and Tobago, United Kingdom (Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Montserrat, Turks & Caicos), United States (Puerto Rico and U.S. Virgin Islands), and Venezuela.

Web address: http://ioc.unesco.org/iocaribe/What_is%20IOCARIBE.htm

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International Queen Conch Conference

Since 1996, countries in the Wider Caribbean have been meeting to discuss issues of queen conch (*Strombus gigas)* science and management. This informal international effort is being coordinated by the Caribbean Fishery Management Council, which forms a practical bridge between the United States and countries in Latin America and the Caribbean. At its most recent meeting, discussion was largely driven by the large amount of illegal, unreported, undocumented fishing in the region. Strategies adopted by the group to address this problem and provide coordinated management for the resource included:

- convening of a stock assessment workshop in 2002, one of the goals of which will be establishing an adequate protocol for data collection and analysis;
- strengthening the ways in which the Convention on International Trade in Endangered Species (CITES) can ensure that trade in this listed species is sustainable;
- presentation of information on the management of queen conch to Ministers at the CARICOM Council for Trade and Economic Development;
- considering the proposal of the government of the Dominican Republic for the establishment of an Inter-American Convention for the Management and Conservation of *Strombus gigas*; and
- seeking assistance to establish better enforcement systems and tools, such as Vessel Monitoring Systems (VMS).

Website address: http://www.strombusgigas.com

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Large Marine Ecosystems (LMEs)

NOAA, in partnership and with support from the Global Environment Facility (GEF), UN agencies (United Nations Food and Agricultural Organization, United Nations Environmental Program, United Nations Development Program, United Nations Industrial Development Organization,, United Nations Educational and Scientific Organization and the Intergovernmental Oceanographic Commission), the World Bank, and the IUCN-The World Conservation Union, is assisting numerous countries bordering several LMEs to develop programs for the sustainable, ecosystem-based management of their marine areas. These comprehensive programs will provide the information necessary for these countries to make decisions regarding the status and management of their marine resources. In some cases (e.g, the Guinea Current LME and Benguela Current LME), the countries bordering the LME have made inter-ministerial commitments to assess and manage their marine areas from an LME perspective.

In addition to the United States, LME participating countries include China, Korea, Bangladesh, India, Indonesia, Malaysia, Myanmar, Maldives, Sri Lanka, Thailand, Cambodia, Philippines, Vietnam, Korea, Madagascar, Mozambique, South Africa, Angola, Namibia, Cape Verde, Gambia, Guinea, Guinea Bissau, Mauritania, Morocco, Senegal, Angola, Benin, Cameroon, Congo, Dem. Repub. of the Congo, Equatorial Guinea, Gabon, Ghana, Cote d'Ivoire, Liberia, Nigeria, Sao Tome and Principe, Sierra Leone, Togo, Bahamas, Barbados, Belize, Brazil, Colombia, Costa Rica, Cuba, Jamaica, Mexico, Panama, St. Lucia, Trinidad and Tobago, Venezuela, Chile, Peru, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Mexico, Nicaragua, Panama, Denmark, Estonia, Finland, Germany, Latvia, Lithuania, Poland, Russia, Sweden, Latvia, Lithuania, Poland, Russia, and Sweden.

Web address: http://www.edc.uri.edu/lme/

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Memorandum of Understanding on the Conservation and Management of Marine Turtles and Their Habitats Of the Indian Ocean and South-East Asia (concluded under the auspices of the Convention on Migratory Species)

The Memorandum of Understanding (MOU) on the Conservation and Management of Marine Turtles and their Habitats of the Indian Ocean and South-East Asia was completed on June 23, 2001, in Manila, Philippines. The MOU is the second of its kind to be concluded under the auspices of the Convention on Migratory Species. It puts in place a framework through which States of the region--as well as other concerned States--can work together to conserve and replenish depleted marine turtle populations for which they share responsibility. It acknowledges a wide range of
threats to marine turtles, including habitat destruction, direct harvesting and trade, fisheries bycatch, pollution and other man-induced sources of mortality. The MOU recognizes the need to address these problems in the context of the socio-economic development of the States concerned, and to take account of other relevant instruments and organizations.

The MOU has a potential membership of at least 40 countries, covering the entire Indian Ocean and Southeast Asia. Activities may also be coordinated through subregional mechanisms in South-East Asia, as well as in the northern, western, and southwestern Indian Ocean. The signatory States (Australia, Comoros, Iran, Myanmar, Philippines, Sri Lanka, Tanzania, United States, and Vietnam, so far) are expected to hold their first formal meeting in the second quarter of 2002. The Conservation and Management Plan, containing 24 programs and 105 specific activities, aims to reverse the decline of marine turtle populations throughout the region. The measures to be taken focus on reducing threats, conserving critical habitat, exchanging scientific data, increasing public awareness and participation, promoting regional cooperation, and seeking resources for implementation.

A small secretariat and an advisory committee will be established to help implement the MOU's provisions. Voluntary contributions will be secured to guarantee that this essential coordination function is provided at the initial critical stage of the Memorandum's existence.

Web address: http://www.wcmc.org.uk/cms/IOSEAturtle_more.htm

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Multilateral High-level Conference on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific (Western and Central Pacific Fisheries Convention–WCPFC)

On September 4, 2000, the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean was adopted, following seven negotiating sessions spanning 5 years. The Convention was adopted by 19 states voting in favor[1]; Japan and Korea voting against; and China, France, and Tonga abstaining. We hope that those states that abstained or even voted against will eventually accept the Convention. The Pacific island states control access to the fishing grounds where the majority of the catches occur. These states provide access to their exclusive economic zones through agreements with distant water fishing states.

The Convention will establish a Commission to conserve and manage tuna and tuna-like species in the vast area of the western and central Pacific west of 150° meridian of west longitude, a resource estimated to have an annual value of $1.5-2 billion. For many of the Pacific Island nations, these fish stocks are the only significant renewable natural resource and a key to their economic development aspirations. The United States has been cooperating with them since 1985 under the South Pacific Tuna Treaty; the new Convention will serve to apply the same rules our fishermen have been following to all distant water and coastal states in the region. These include carrying observers, a vessel monitoring system, restrictions on transhipment, and catch and fishing effort reporting. The new Convention is fully consistent with the 1995 United Nations Fish Stocks Agreement and other recent global fisheries agreements.

The Convention will enter into force after ratification by three states situated north of 20° north latitude (primarily the distant water fishing states) and by seven states south of 20° north latitude (primarily the Pacific island states). In the meantime, a Preparatory Conference will design the internal rules and procedures for adoption by the eventual Commission. The first meeting of the Preparatory Conference was held in Christchurch New Zealand in April 2001; the second session was held in Madang, Papua New Guinea in February 2002; the third session was held in Manila, the Philippines in November 2002, and the fourth meeting in Nadi, Fiji in May 2003. Working groups were convened on development of administrative and procedural matters, the provision of scientific advice both before and after entry into force of the Convention, and monitoring-control-surveillance. Matters relevant to the Convention, the Commission, and the activities of the Preparatory Conference can be found at http://www.ocean-affairs.com.

Considerable work must be done within NOAA Fisheries in the next several years to become prepared to implement U.S. scientific, management, and enforcement obligations under the new Convention.

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National Standards Foundation (NSF) International

The NSF, the largest non-profit health organization in the world, develops a variety of food safety and other types of standards for equipment. NMFS National Seafood Inspection Laboratory personnel currently serve on the organization's Council of Public Health Consultants.

Web address: http://www.nsf.org

North Pacific Interim Scientific Committee for Tuna and Tuna-like Species (ISC)

The ISC was formed by the United States and Japan in January 1995 as a first step toward creating a fishery management and conservation organization for North Pacific pelagic fish stocks. The purposes of ISC are to (1) enhance scientific research and cooperation for conservation and rational utilization of the species of tuna and tuna-like fisheries which inhabit the North Pacific Ocean during all or part of their life cycle; and (2) establish the scientific groundwork, so at some future time a multilateral regime for the conservation and rational utilization of the region's pelagic fish stocks may be created. Membership in the ISC is open to all coastal States of the region, as well as States whose vessels fish for tuna or tuna-like species in the region. Canada, China, Taiwan (Chinese

Taipei), Japan, Korea, Mexico, the United States, and several regional organizations have participated in past meetings.

On a practical level, the ISC regularly assesses and analyzes fishery and other information, prepares reports, formulates research proposals, and to the extent possible, coordinates international and national research programs on the relevant species. Four Working Groups have been established by the ISC: (1) the Swordfish Working Group, (2) Bluefin Tuna Working Group, (3) Bigeye Tuna Working Group, and (4) the Data Collection Systems Working Group.

The 3rd meeting of the ISC was held in Nagasaki, Japan, on January 28-30, 2002. More than 60 participants were present from Japan, Korea, Russia, Taiwan, and the United States ass well as representatives from FAO, IATTC, and SPC. Participants described their countries' fisheries for tuna and tuna-like species and the overall status of stocks for those North Pacific highly migratory species which have been the focus of ISC scientific work--primarily northern bluefin tuna, swordfish, bigeye tuna, yellowfin tuna, and albacore tuna. Species working groups reported on their work and provided guidance on further research efforts and priorities for consideration by the ISC. The members of the ISC amended ISC Guidelines to allow states/fishing entities (Taiwan) full membership in the ISC. Members also agreed to include skipjack tuna to the list of species to be considered in the ISC.

No decision has been made on the time and location for the 4th meeting of the ISC, however it will likely be held in early 2004 in the United States.

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Office International des Epizooties (OIE)

The OIE is the WHO's Programme for animal health and is the second of three international health organizations that promulgate standards, which when conformed with, can provide a legal safe harborage in cases of WTO trade disputes. The OIE was established in 1924, and by March of 2001 consisted of 157 member countries. The mission of the OIE is to inform governments of the occurrence and course of animal diseases globally, and the methods which can be implemented to control such diseases. The organization also coordinates international studies for surveillance and control of animal diseases and harmonizes regulations for trade in animals and animal products among member countries.

The Fish Diseases Commission is one of four OIE Specialist Commissions. The role of Specialist Commissions is to study specific problems relating to the epidemiology and control of certain diseases or groups of diseases. The Fish Diseases Commission was created in 1960. One of the reasons for establishing the Fish Diseases Commission was the increasing awareness of the importance of international trade in fish and other aquatic animals, which in recent years has grown considerably.

Web address: http://www.oie.int/

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Organization for Economic Cooperation and Development (OECD)

OECD is a Paris-based international organization that provides a forum for consultations on a wide range of economic issues among developed countries. The OECD Committee for Fisheries meets twice annually (in the spring and fall) and occasionally holds ad hoc technical meetings.

The Committee for Fisheries monitors, on an ongoing basis, fisheries policy developments in member countries. This involves a survey of developments in the fisheries sector and the results are published every two years in the OECD Review of Fisheries. OECD countries report on regulatory initiatives and related policy developments and the survey seeks to assess policy impacts on fisheries resources and markets. The Review of Fisheries is complemented by key statistics on landings, trade, quota allocations, financial transfers, the fishing fleet and employment in OECD and selected non-OECD countries, which are disseminated every year.

The OECD COFI completed its comprehensive Fisheries Market Liberalization and Management Costs studies in 2002. The groundbreaking Market Liberalization study provides a description of the trends in world fisheries trade and resource situation. The Study also provides an overview of the trade and market policy instruments that are applied to the trade in fish and fish products by OECD countries. More importantly, the Study provides an analysis of the likely outcomes of market liberalization in the fishery sector and discusses the effects of market liberalization on trade and on resources.

The Committee's program of work for 2003-2005continues its ongoing data collection activities summarized in the Review of Fisheries while focusing on three other areas: 1) followup to the fisheries market liberalization studies, including further analysis of relevant government financial transfers and their effects on trade and resources; 2) a study on the environmental, economic, and social effects of illegal, unreported and unregulated fishing and flags of convenience; and 3) further examination of economic aspects of the transition to sustainable fisheries, specifically the use of market-like instruments or incentives to achieve reform. This latter topic was proposed by the United States in the context of governance issues involved in the transition to better fisheries management, and relevant costs and benefits of fish resource allocation.

Web address: http://www.oecd.org/

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Protocol for Specially Protected Areas and Wildlife (SPAW) in the Wider Caribbean Region to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region (Cartagena Convention)

SPAW was adopted in Kingston, Jamaica, by the member governments of the United Nations Environment Programme (UNEP) Caribbean Environment Programme on January 18, 1990. It entered into force on June 18, 2000, after ratification by its ninth Contracting Party. It is one of three Protocols to the Cartegena Convention--the other two deal with cooperation to combat oil spills, adopted in 1983, and land-based marine pollution, adopted in 1999. The SPAW Protocol preceded other international environmental agreements in utilizing an ecosystem approach to conservation. It acts as a vehicle to assist with regional implementation of the broader and more demanding global Convention on Biological Diversity (CBD).

The Cartagena Convention is the only legally binding environmental treaty for the wider Caribbean area. The Convention and its Protocols constitute a legal commitment by the participating governments to protect, develop and manage their common waters individually or jointly. UNEP provides the secretariat in Kingston for the Convention and its Protocols.

The stated objectives of the SPAW program are:

- To significantly increase the number of and improve the management of national protected areas and species in the region, including the development of biosphere reserves, where appropriate;
- To develop a strong regional capability for the coordination of information exchange, training and technical assistance in support of national biodiversity conservation efforts;
- To develop specific regional, as well as national management plans developed for endangered, threatened or vulnerable species such as sea turtles, the West Indian manatee, black coral and migratory birds;
- To coordinate the development and implementation of the Regional Program for Specially Protected Areas and Wildlife in the Wider Caribbean, in keeping with the mandate of the SPAW Protocol;
- To coordinate activities with the Secretariat of the Convention on Biological Diversity, as well as other biodiversity-related treaties, such as the CITES, Ramsar, Bonn, and Western Hemisphere Conventions.

The Parties to the SPAW Protocol are Colombia, Cuba, Dominican Republic, Netherlands, Panama, St. Lucia, St. Vincent and the Grenadines, Trinidad and Tobago, and Venezuela. On September 5, 2002, the United States Senate, with the reservations, an understanding, and a declaration, gave its advice and consent to the ratification of the Protocol .

Website address: http://www.cep.unep.org/programmes/spaw/spaw.html

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Standing Committee on Tuna and Billfish (SCTB) of the Secretariat of the Pacific Community (SPC)

The SCTB was established in 1988, as an advisory body to the Tuna and Billfish Assessment Programme, (the predecessor to the SPC's Oceanic Fisheries Program-OFP) to serve as a scientific forum for primarily reviewing and promoting the OFP's work program by invited experts. In 1998, the SCTB's charter underwent a significant change and with different focus. It broadened participation to "scientists and others with an interest in the tuna fisheries of the western and central Pacific Ocean." It adopted five objectives: "(1) coordinate fisheries data collection, compilation and dissemination according to agreed principles and procedures; (2) review research on the biology, ecology, environment and fisheries for tunas and associated species in the western and central Pacific Ocean; (3) identify research needs and provide a means of coordination, including the fostering of collaborative research, to most efficiently and effectively meet those needs; (4) review information pertaining to the status of stocks of tunas and associated species in the western and central Pacific Ocean, and to produce statements on stock status where appropriate; and (5) provide opinion on various scientific issues related to data, research and stock assessment of western and central Pacific Ocean tuna fisheries."

The SCTB meets annually, usually in June or July. The 2002 meeting will be in Honolulu, Hawaii, on July 18-26, and will be hosted by the Pelagic Fisheries Research Program of the University of Hawaii's Joint Institute for Marine and Atmospheric Research.

Web address: http://www.spc.org.nc/OceanFish/

United Nations (UN) Atlas of the Oceans Agreement

The UN Oceans Atlas will be CD-ROM and Internet-based, containing information relevant to sustainable development of the oceans and to the advancement of ocean science. It is designed for use by policy makers needing to become familiar with ocean issues and by scientists and resource managers needing access to underlying data bases and approaches to sustainability. The Atlas will include: (1) background on the oceans--from how they were formed, to their physiology, biology, and climatology; (2) uses of the oceans--from food to shipping, mining, energy, etc.; and (3) ocean issues, such as sustainability, food security, global change, and pollution. The Project has been funded by the UN Foundation. Six UN agencies (e.g., UNEP, WMO, IOC) have committed fiscal resources to the project. FAO will conduct the project on behalf of the UN because of their expertise in building atlases in support of global decision making and research. Dr. John Everett (formerly of NMFS) is coordinating NOAA involvement. Under an expiring secondary agreement, Dr. Everett is also the Atlas Project Manager for the UN, working from NOAA offices in Silver Spring, and FAO Headquarters in Rome, Italy. He is coordinating the development of materials by a dozen UN agencies and several collaborating nations and contractors, through to production of the Atlas product. OAR/OGP, OAR/SG, NESDIS, SDIA and NMFS have shared the direct costs of Dr. Everett's involvement as Project Manager.

Website address: www.oceansatlas.com

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United Nations General Assembly (UNGA)

The United Nations General Assembly (UNGA) was not known as a forum for the discussion of fisheries issues through most of its history, but this changed in the 1990s when it took up the problem of large-scale, pelagic driftnet fishing on the high seas. UNGA Resolution 44/225, adopted in 1990, called for a moratorium on the use of this fishing gear on the high seas by June 30, 1992. This Resolution was supplanted by UNGA Resolution 46/215, which delayed the effective date of the moratorium until December 31, 1992. Since that time, UNGA has adopted resolutions at least biennially inviting information on implementation for inclusion in a report of the Secretary General prepared for a future meeting of UNGA. NOAA Fisheries has worked with the Department of State to prepare a U.S. submission at every such opportunity. In addition, UNGA regularly considers and adopts resolutions on unauthorized fishing in zones of national jurisdiction and on the high seas; fisheries bycatch and discards; promoting the entry into force of the Food and Agriculture Organization Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas; and promoting the entry into force of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks. The United States provides information for reports of the Secretary General on these topics as well.

Web address: http://www.un.org/Depts/los/

U.S.-China Marine and Fisheries Science and Technology Protocol

This Protocol, initiated in May 1979, is part of an umbrella science and technology agreement. It has been active continuously since that time, with biennial Joint Working Group meetings. NOAA is the lead U.S. agency for the Agreement--the State Oceanic Administration is the lead agency for China. The Protocol contains four major areas of cooperation: (1) Data and Information; (2) Air-Sea Interaction (or Global Climate Change); (3) Marine Environmental Services; and 4) Living Marine Resources. NMFS has been actively involved in cooperative projects taking place in the latter two areas of cooperation. For living marine resources, a joint coordination panel has been established which meets periodically to discuss cooperative activities.

The 14th Joint Working Group Meeting took place in Hanzhou, China, in September 1999. At this time, NOAA Fisheries discussed future cooperative research plans with China.

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U.S.-France Cooperative Program

Under the U.S.-France Cooperative Program in Oceanography, the Director of the Northeast Fisheries Science Center serves as the U.S. Program Leader for the Living Resources Panel. French and U.S. scientists have collaborated on various projects including: (1) Technological Interactions in Multi-Species Fisheries; (2) Age Composition of Fisheries Catch; (3) Genetic Manipulation: Shellfish and Marine Invertebrates; (4) COADS (Comprehensive Ocean-Atmosphere Data Set) Data Bank for Fisheries; (5) CEOS (Climate and Eastern Ocean Systems); (6) Spatio-temporal Scales in the Dynamics of Exploited Populations; and (7) Automated Image Processing Techniques for Classification and Assessment of Living Resources.

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U.S.-Republic of Ireland Cooperation

The *Joint Statement to Pursue Collaboration in the Programmes of Marine Research and Technology Development, Sustainable Development, Coastal Zone Management, and Marine Coastal Protected Areas Between the Marine Institute of Ireland and the U.S. Department of Commerce National Oceanic and Atmospheric Administration* was signed by Commerce Secretary Ron Brown and the Irish Minister for Marine and Natural Resources Sean Barrett in December 1995. A $5 million/5-year collaboration between NOAA and the Marine Institute of Ireland was initiated in October 1999.

The Joint Statement has committed NOAA to collaborate with Irish marine scientists and managers in the development of theoretical and applied marine scientific research and technology. The collaborative NOAA-MI program continues to foster the exchange of ideas, supports "best practice" in scientific methodology, and improves understanding of the marine ecosystem. The Joint statement is now in its eighth year, and has focused on the ecological assessment of fisheries recruitment, harmful algal events, salmon migration, collaboration in ocean data management, the use of remote sensing, and oceanographic modeling.

In the long term, the hope is to extend the collaboration to include Northern Ireland, thereby improving the scientific and managerial capabilities of Northern Ireland, while also building and strengthening working relationships among the agencies and scientists of the Republic of Ireland and Northern Ireland.

It is hoped that the new knowledge gained from joint ongoing NOAA-Marine Institute of Ireland ecological studies will assist private enterprises in the United States and Ireland to be better positioned to sustainably utilize each country's own countries marine resources, and provide new technology development opportunities. For example:

- Baseline surveys of the egg and larval distribution of economically important fish species have been undertaken with particular emphasis on cod, haddock, hake and whiting;
- The economic impacts of harmful algal blooms (HABs) to the shellfish industries in the United States and Ireland have been estimated at $50 million and $4 million per year, respectively. New technologies for offshore monitoring of HABs and development of new gene probe techniques for cell identification would greatly assist in reducing these losses.
- U.S. and Irish coastal-zone managers are learning from each other's experiences in developing management systems for the salmon-aquaculture industry.
- Scientists from NOAA and the Marine Institute are now seeking to better understand the impacts of climate change and global warming on stocks of Atlantic salmon.
- Hydrologists, engineers, and biologists have begun to exchange information, and experiences regarding mitigation techniques and management protocols related to the impacts of dams on anadromous species.

The NOAA-MI Joint Statement may also provide a mechanism for expanding cooperation with the European Union. As a result of recent senior level meetings between NOAA and MI in Washington, DC, and more recent discussions in Dublin, the two countries are now seeking to expand ongoing efforts and develop new collaborative efforts in the following areas:

- Ocean observations and the potential impacts of climate change on marine fishery resources,
- Mapping of the sea floor, including geological and biological resources, and essential fish habitat such as deep-water coral,
- Use of innovative new technologies to better assess and manage marine resources, and
- Coordination and joint deployment of NOAA and MI research vessels to support these activities and share state-of-the-art technologies.

Potentials exist for partnerships with private enterprise organizations in both the United States and Ireland to develop, test, and implement new technologies as part of these efforts. For example the Joint Statement specifically endorses the development of U.S. partnerships with a North/South all-Ireland coalition to:

- Create industrial capability in marine engineering and electronic technologies to be applied in marine resources monitoring and assessment activities, and
- Promote joint venture and market development activities between Irish and U.S. companies in marine environmental monitoring, sensor development, and telemetry systems.

Promoting the transfer of new knowledge obtained from NOAA-Marine Institute Joint Statement science and technology efforts to education and public outreach programs may also serve as a basis to actively enhance the travel and eco-tourism industry in the Republic of Ireland, Northern Ireland, and the United States. Tourism Ireland, a trans-boundary quasi-governmental agency that is charged with actively enhancing cross-border travel and tourism between the Republic of Ireland and Northern Ireland, is quite keen on entering into discussions with the Department of Commerce on potentials for a tripartite (US/All-Ireland) partnership that would focus on creating a partnership initiative between university science communication graduate degree programs and the hotel industry in all three areas, providing new training and employment opportunities that promote marine and coastal eco-tourism in all three areas, and promoting cross-border peace and goodwill.

Website address: http://www.marine.ie/partnerships/international/

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U.S.-Morocco Cooperation

The United States established fisheries ties with the Government of Morocco in 1975, when a U.S. Regional Fisheries Attache position was established in Casablanca. These ties were formalized by a series of agreements signed in Washington, D.C., in May 1983. The agreements call for cooperative exchanges between Moroccan and U.S. fishery scientists as a part of an agreement linking the NMFS Southeast Fisheries Science Center and the Institute Scientifique des Peche Maritimes in Casablanca. The most recent exchanges took place in early December 1996, when a delegation from NMFS visited Morocco to encourage marine scientific exchanges and help establish a science-based fisheries management program similar to that of the United States. Both the United States and Morocco are interested in a plan that will: (1) rebuild and maintain sustainable fisheries, (2) promote the recovery of protected or endangered species, and (3) protect and maintain the health of coastal marine habitats.

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U.S.-South Africa Cooperative Program

The Conservation, Environment, and Water Committee of the U.S.-South Africa Binational Commission was established, in part, to assist South Africa maintain its high quality of oceanographic and fisheries science through increased cooperation with international marine scientists and organizations, and to seek increased participation of under-represented communities in marine sciences.

U.S.-Vietnam Fisheries Cooperation Program

The bilateral fisheries relationship with Vietnam began in earnest during 1998 and was initiated with the exchange of several fishery scientists from both sides. In October 1998, NOAA Fisheries Assistant Administrator Rolland Schmitten led a U.S. fisheries delegation composed of both government and private sector representatives to Vietnam. The visit resulted in agreement to continue cooperative exchanges designed to provide benefits to both sides. During 1999 and 2000, a wide variety of scientific exchanges took place, the most notable being the participation of a NOAA Fisheries scientist on a Vietnamese fisheries research cruise during October 2000.

During 2000 and 2001, there was a lull in exchange activity, although Vietnam did express a passing interest in formalization a relationship based on exchange of scientific personnel. At the 2001 APEC Oceans Ministerial in Korea, Vietnam once again expressed interest in continuing the bilateral exchanges of scientific personnel and to further our dialogue on trade issues of mutual interest.. Although no mention was made of the development of a formal relationship, Vietnam requested that the United States send a delegation to Hanoi for these discussions. In March 2003, Dr. Rebecca Lent, NMFS Deputy Assistant Administrator for Regulatory Programs, led a delegation of NMFS and Department of State representatives to Hanoi. The agenda for this meeting covered possible future work with Vietnam in areas relating to fisheries science, conservation and management policy, enforcement, and trade. This meeting resulted in a commitment by the United States and Vietnam to examine areas where future cooperation might take place. Although no formal agreement or monetary commitment was made, the stage was set for enhanced cooperation between the two governments.

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Western Central Atlantic Fishery Commission (WECAFC)

Basic Instrument

Article VI-1 of the United Nations Food and Agriculture Organization (FAO) Constitution. Resolution 4/61of the FAO Council at its Sixty-first Session in November 1973. Statutes amended by FAO Council in December 1978.

Implementing Legislation

None.

Member Nations

Antigua and Barbuda, Bahamas, Barbados, Belize, Brazil, Colombia, Costa Rica, Cuba, Dominica, France, European Community, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Jamaica, Japan, Korea (Rep. of), Mexico, Netherlands, Nicaragua, Panama, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Spain, Suriname, Trinidad and Tobago, United Kingdom, United States, and Venezuela.

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U.S. Representation

The Assistant Regional Administrator for Sustainable Fisheries, National Marine Fisheries Service Southeast Region, generally heads the U.S. delegation to WECAF.

Description

A. Mission/Purpose:

WECAF's purpose is to facilitate the coordination of research; to encourage education and training; to assist Member Governments in establishing rational policies; and to promote the rational management of resources of interest to two or more countries. The Commission has an advisory management function but no regulatory powers.

B. Organizational Structure:

The Commission, composed of all Members, is the central policy forum. The Commission has four Subsidiary Committees: (1) Working Party on Assessment of Marine Fishery Resources; (2) Working Party on Fishery Economics and Planning; (3) Committee for the Development and Management of Fisheries in the Lesser Antilles; and (4) the Ad hoc working groups.

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World Health Organization (WHO) of the United Nations

The WHO of the United Nations is the premier international organization whose mission is to ensure the attainment by all people the highest level of health. For WHO purposes, health is defined as "a state of complete physical, mental, and societal well-being and not merely the absence of disease or infirmity." WHO was founded in 1948 and has four main functions to: (1) provide international guidance in the field of health; (2) establish global standards for health; (3) assist national governments in improving their health plans; and (4) engage in developing and transferring health technologies, standards, and information. WHO conducts numerous food safety activities, and along with FAO, is a joint sponsor of Codex.

Web address: http://www.who.int/home-page/

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World Trade Organization (WTO)

The WTO (formerly the General Agreement on Tariffs and Trade) was established in 1947, and is the international organization that negotiates and enforces trade rules and periodically convenes multilateral trade negotiations. The last completed multilateral trade negotiations, the Uruguay Round, began in 1986 and concluded in 1994. NOAA Fisheries has two broad fishery-related interests in WTO: (1) defending our conservation laws in WTO dispute settlement; and (2) negotiating fisheries tariffs, non-tariff barriers, and subsidies in the trade rounds.

The Fourth WTO Ministerial Conference was held in Doha, Qatar, from November 9-14, 2001. The Ministers agreed to launch negotiations on the relationship between existing WTO rules and trade obligations set out in multilateral environmental agreements. The negotiations will address how WTO rules are to apply to WTO members that are parties to environmental agreements. Ministers also agreed to clarify and improve WTO rules that apply to fisheries subsidies. The issue of fisheries subsidies has been studied in the WTO Trade and Environment Committee for several years. Some studies demonstrate these subsidies can be environmentally damaging if they lead to too many fishermen chasing too few fish. The U.S. position has been that WTO Members should eliminate subsidies that lead to overcapacity, overfishing and that distort trade. Negotiations on subsidies to the fisheries sector are taking place in the Negotiating Group on Rules and have proven to be very contentious.

Ministers instructed the Trade and Environment Committee to pay particular attention to eliminating or reducing trade restrictions and distortions to benefit trade, the environment and development as part of its on-going work. Finally, Ministers charged the Trade and Environment Committee to look at the impact of eco-labeling on trade and examine whether existing WTO rules stand in the way of eco-labeling policies. Parallel discussions are to take place in the Technical Barriers to Trade (TBT) Committee.

Web address: http://www.wto.org/

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PART V. APPENDIX

Governing International Fishery Agreements (GIFAs) Between the United States and Foreign Entities

Pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act),Title II, Section 201, foreign fishing within the U.S. 200-mile Exclusive Economic Zone may only be conducted under a GIFA.

Although many GIFAs have been concluded since the enactment of the Magnuson-Stevens Act, the following list includes only active agreements that are currently in force or in the process of being extended.

Status as of June 1, 2003.

Country	Expiration Date	Status
Estonia	June 30, 2003	In Force
Latvia	December 31, 2002	Expired, Being Extended
Lithuania	December 31, 2001	Expired, Being Extended
People's Republic of China	July 1, 2001	Expired, Being Extended
Russia	December 31, 2003	In Force